

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FEB 26 2013 JH
Feb. 26, 2013
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

NANCY MORROW,

Plaintiff,

v

PATRICK R. DONAHOE, Postmaster
GENERAL, UNITED STATES POSTAL
SERVICE, AGENCY,

Defendant.

Case No. 11-CV-04349

Judge CHARLES R. NORGLER

**CORRECTED MEMORANDUM IN SUPPORT OF
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

PLAINTIFF NANCY MORROW PRO SE FOR SUMMARY JUDGMENT 11530 S.
LAFLIN CHICAGO, IL 60643 PATRICK R. DONAHOE, POSTMASTER GENERAL, UNITED
STATES POSTAL SERVICE AGENCY's (hereinafter the Plaintiff), Motion for Summary
Judgment, states as follows: Rule 56.1

INTRODUCTION

MEANING OF "DISCRIMINATE AGAINST" – A MATERIALLY ADVERSE ACTION
BURLINGTON NORTHERN & SANTA FE RAILWAY v. WHITE Supreme court of the United
States, 2006 548 U.S. 53, 126 S. ct. 2405, 165 I. Ed 2d 345.

Dismissed on 06-14-2012. For retaliation materially adverse action, retaliation used as
disciplinary action, discrimination based on age and sex, failure to stop harassment, and creating
a hostile work environment. 03-31-2010 I was issued a 7 day suspension with 40Hrs. loss of pay.
Id., ¶¶ 1. Supervisor claimed that I used Unauthorized Overtime and claimed I Fail to follow her
Instruction not to closeout at 2:30. *Id.*, ¶¶ 1. Evidence showed I closeout at 3:03 & continued to
serve customers. *Id.*, ¶¶ 11. Overtime was done by all Clerks under age 40 *Id.*, ¶¶ 20-21
discrimination based on age and sex, *Id.*, ¶¶ clerks Latrice Hopkins, Felicia Hardy, and Rhonda
Frazier etc., sex male employees Anthony Calyen Ezell Jr, Grover Tilmon, Algen Bailey, *Id.*, ¶¶
9-10.

Postal Service response: Admit jurisdiction to 42 U.S.C.200e-5(f) (3) &29 U.S.C.633a, AN APPEAL FOR CASE 11-CV-04349 12-2666 REVISED in *Id.*, ¶¶ 16. Regard to the appellant's age-discrimination claim and the case summary REMANDED. TITLE VII claims by The Supreme Court has held and employees who creates or tolerates a work environment when it premeditated with "discriminatory, intimidating, ridicule and insult" that is sufficient, severs or persuasive as alter the conditions of an individual employment which creates and abusive work environment is a violation of the TITLE VII.

STATEMENT OF FACTS

1. I WAS ISSUED A 7 DAY SUSPENSION Loss of pay that was materially adverse action

FAILURE TO FOLLOW INSTRUCTION AND UNAUTHORIZED OVER TIME

Id., ¶¶ 3.

MEANING OF "DISCRIMINATE AGAINST" A MATERIALLY ADVERSED ACTION
BURLINGTON NORTHERN & SANTA FE RAILWAY v. WHITE Supreme Court of the United States, 2006 548 U.S. 53, 126 S. ct. 2405, 165 L. Ed 2d 345.

a. CHARGE 1: FAILURE TO FOLLOW INSTRUCTIONS

On Wednesday, March 31, 2010, at approximately 2:30pm, you closed your window and prepared the end of day close out procedure, I informed you that it was early and you needed to open your window again to service customers, you began to give me many different reasons as to why you were closing out. You still did not re-open your window to service the customers.

Id., ¶¶ 1.

Failed to follow her instruction not to closeout at 2:30pm. Evidence showed I closeout at 3:03 & continued to serve customers. *Id.*, ¶¶ 11.

b. CHARGE 2: USE OF UNAUTHORIZED OVERTIME

On Monday, March 29, 2010, you used .21 units of overtime, on Tuesday, March 30, 2010 you used .12 units of overtime and on Wednesday, March 31, 2010 you used .18 units of overtime. The time usage is verified by your clock rings in TACS. On all three days respectively

you were not asked to stay and work any overtime and you closed your retail window in more than enough time to end your tour within your scheduled eight hours. *Id.*, ¶¶ 1.

Supervisor claimed that I used Unauthorized Overtime

MY SUPERVISOR WAS ALSO AWARE THAT I HAD OVER \$400.00 OF VIODED METER STRIPS THAT NEEDED TO BE CORRECTED BECAUSE OF MALFUNCTIONING OF THE EQUIPMENT WHICH CAUSED ME TO REMAIN ON THE CLOCK 10 MINUTES INTO OVERTIME. *Id.*, ¶¶ 2, 13-15

All the clerks that worked in the finance Dept. Male, Female and part-time regular junior clerks who was under the age of 40 had overtime during the month of March and yet I was issued a letter of 7 day suspension by Supervisor Lisa Maya and claimed I DISPARATED TREATMENT IS A VIOLATION FOR AGE AND SEX DISCRININATION. Lisa Maya named clerks who did not have unauthorized overtime. *Id.*, ¶¶ 4. Gail Rocket *Id.*, ¶¶ 21-23.

Postal Service response: Admit jurisdiction to 42 U.S.C.200e-5(f) (3) & 29 U.S.C.633a, I am issuing to you this 7 Day Suspension for the reason(s) set forth below. Unless delayed by the initiation of a timely grievance, you will begin your suspension effective on May 9, 2010 at 7:00am. You are to return to duty at your regularly scheduled reporting time on your first regularly scheduled day following May 15, 2010.

The Supervisor Lisa Maya had no justified cause and she refused to ha a Step One with the Union to delay the action of the suspension that she was forced to take May 9-15. *Id.*, ¶¶ 17. However, on appeal Ms. Morrow claims, First of all there is no discussion for a 7 day suspension with loss of pay of 40 hours *Id.*, ¶¶ 16 CASUAL LINKS.

FAILURE TO STOP HARASSMENT & CREATING A HOSTILE WORK ENVIRONMENT I have over 50 dates of complaints of Harassment Civil Action Law suit September 5, 2008. Case No. 08-cv-5087 for June 16, 2006 claims No. 4J-606-0125-06. *Id.*, ¶¶ 24.35-76

The Station Manager Mrs. Gladys Jolia' was involvement first Civil Action 2008 and Previous cases that were filed a casual links of 3-4 months of continuous harassment, and

Unlawful activities that was dismissed to untimely filing, which has been used as Casual links of records of evidence which links to Supervisor Mrs. Lisa Maya write-up 3-31-2010, which lead to my suspension April 2010 on the behalf Station Manager Mrs. Gladys Jolia who encouraged her Supervisor to target me. *Id.*, ¶¶ 33-36. The case was filed March 31, 2010 for the 7 day suspension did compiled within the 45 days statute of limitation and EEO Claims that was Dec. 31, 2009 on Mrs. Alice EEO claims filed within 14 days along with the evidence of additional prior EEO activity.

ARGUMENT

Morrow Subject to a Material Adverse Employment Action. DISPARATED TREATMENT IS A VIOLATION FOR AGE AND SEX DISCRIMINATION.

CHARGE 1: FAILURE TO FOLLOW INSTRUCTIONS

According to records of evidence Supervisor Lisa Maya allegation had no merits. No justified cause and had no legitimate reason. It was rescinded by the Union to its entirety but I never recovered back pay for issuing me a 7 day suspension & 40hrs loss of pay which was used as a disciplinary action for failure to follow instruction that was premeditated, intention and materially adverse.

1. Summary Judgment MEANING OF "DISCRININATE AGAINST" – A MATERIALLY ADVERSED ACTION BURLINGTON NORTHERN & SANTA FE RAILWAY v.

WHITE Supreme court of the United States, 2006 548 U.S. 53, 126 S. ct. 2405, 165 I. Ed 2d 345.

For retaliation materially adverse action, 03-31-2010 I was issued a 7 day suspension with 40hrs. Loss of pay. **CHARGE 1: FAILURE TO FOLLOW INSTRUCTIONS** Failed to follow her instruction not to closeout at 2:30. Evidence showed I closeout at 3:30 & continued to serve customers. Overtime was done by all Clerks under age 40 according to records of evidence Supervisor Lisa Maya allegation had no merits, NO JUSTIFY CAUSE & HAD NO LEGITIMATE REASON, REFER TO EXHIBIT 1 FOR ISSUING ME A 7 DAY

SUSPENSION & 40HRS LOSS OF PAY WHICH WAS USED AS DISCIPLINARY ACTION FOR FAILURE TO FOLLOW INSTRUCTION THAT WAS PREMEDITATED, INTENTIONAL AND MATERIALLY ADVERSE.

1. Morrow has Establish a *Prima Facie* Case of Retaliation Discrimination. The filing of formal disciplinary charges were such charges are entered in the employee's permanent file can qualify as materially adverse. See, e.g. *uddin v. city of N.U.*, 316 fed appx...04 at 5-6(2d Cir, 2008). Merely placing an employee on a performance plan or issuing a disciplinary letter, however has been found not qualify under the new Supreme Court standard, See *Kaplan v. Multimedia Entm't Inc.*, No. 03-CV-0805c(F), 2008 WL 686774, at 6(W.D.N.Y. Mar. 10, 2008) (performance plan); *Washington v. Norton*, No.3-04CV104, 2007 WL 1417290, at 4(N.D.W.Vo. May 11, 2007) (discipline letter). A supervisor conspiracy to force the complaining employee to quit her job, however, is sufficiently adverse. See *Patane v. Clark*, 508 F.3d 106, 115-16(2d Cir. 2007)

MEANING OF "DISCRININATE AGAINST" – A MATERIALLY ADVERSE ACTION *BURLINGTON NORTHERN & SANTA FE RAILWAY v. WHITE* Supreme court of the United States, 2006 548 U.S. 53, 126 S. ct. 2405, 165 L. Ed 2d 345. JUSTICE BREYER DILIVERED THE OPINION OF THE COURT.

The Courts of Appeals have come to different conclusions about the scope of the act's anti-retaliation provision, particularly the research of its phrase "discriminate against." Does that provision confine actionable retaliation to activity that affects the terms and conditions of employment? And how harmful must the adverse actions be to fall within its scope?

We conclude that the anti-retaliation provision does not confine the actions and harms it forbids to those that are related to employment of occur at the workplace. We also conclude that the provision covers those (and only those) employer actions that would have materially adverse to a responsible employee or job applicant. In the present context that means that the employer's actions must be harmful to the point that they could well dissuade a reasonable worker from

making or supporting a charge of discrimination. We speak of material adversity because we believe it is important to separate significant from trivial harms.

The Postal Service used me as an example by creating a hostile work environment for me to persuade and retain other employees from filing claims against them.

Employer Liability: How should Burlington affect an employer's liability for retaliatory conduct engaged in by its agents? In *Cross v. Cleaver*, 142 F.3d 1059, 1074(8th Cir.1998), the court held that "where a supervisor employee with power to hire, fire, demote, transfer, suspend, or investigate an employee is shown to have used that authority to retaliate for filing of a charge of sexual harassment, the plaintiff need not also prove that the employer participated in or knew or should have known of the retaliatory conduct to hold the employer liable."

In *Burlington Industries, Inc., v. Ellerth*, 524 U.S. 742, 118 S. Ct. 2257, 141 L. Ed.2d 662(1998), reproduced in Chapter 10, the Supreme Court interpreted Title VII to impose vicarious liability on employers for an actionable hostile work environment created by a supervisor with authority over the employee victim. The *Ellerth/Faragher* employer liability rule to emphasize that these cases create significant incentives for employers to initiate prompt and thorough internal investigations when employees complain about a hostile work environment.

It also creates incentives to have open and effective complaint procedures. These internal procedures and investigations ostensibly place more employees—like Crawford—in the position of "opposing" employer practices through filing internal complaints or through responding to questions during internal investigators' interviews, either as witnesses or victims of the allegedly harassing conduct. If the employer takes an adverse employment action against the employee who speaks up about alleged workplace harassment, he or she has a potential Crawford retaliation claim. Because I spoke up and showed that I opposed and participated against their unlawful activity and obviously communicated continuously which made management aware of the opposition by filing EEO claims. And as a result, I was punished with more accelerated

materially adverse action and was issued 7 letters for disciplinary charge that was placed in my employee's permanent files, but was later rescinded by the union due to deficiencies.

By using retaliation as a motive the Postal Service had created a hostile work environment that displayed a genuine factual issue on the question of causation. Some courts held that an employee asserting a retaliation claim can prove causation simply by showing that the adverse employment action occurred within a short time after the protected conduct. See, e.g., *Clark County School Dist. v. Breeden*, 532 U.S. 266, 273, 121 S. Ct. 1508, 149 L.Ed.2d 509 (2001) (per curiam) (noting that some cases "accept mere temporal proximity between an employer's knowledge of protected activity and an adverse employment action as sufficient evidence of causality to establish a prima facie case").

As a result, an employee claiming retaliation may be able to establish causation simply by showing that, within some time period prior to the adverse action, the employer, by some indirect means, became aware of the views that the employee had expressed. Where the protected conduct consisted of a private conversation, application of this rule would be especially problematic because of uncertainty regarding the point in time when the employer became aware of the Title VII forbids action taken on the basis of sex that "discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment."

42U.S.C.2000e—2(a) (1).

Just three Terms ago, we reiterated, what was plain from our previous decisions, that sexual harassment is actionable under Title VII only if it is "so 'severe or pervasive' as to 'alter the conditions of [the victim's] employment and create an abusive working environment.'" *Faragher v. Boca Raton*, 524 U.S. 775, 786, 141 L. Ed. 2d 662, 118 S. Ct. 2275 (1998)

Workplace conduct is not measured in isolation; instead, "whether an environment is sufficiently hostile or abusive" must be judged "by looking at all the circumstances," including the 'frequency of the discriminatory conduct; its severity; whether it is physically threatening or humiliation, or a mere offensive utterance; and whether it unreasonably interferes with an

employee's work performance' and discriminatory charges in the terms and conditions of employment. TITLE VII claims by The Supreme Court has held and employee who creates or tolerates a work environment when it premeditated with "discriminatory, intimidating, ridicule and insult" that is sufficient, severe or persuasive as alter the conditions of an individual employment which creates and abusive work environment is a violation of the title VII

**a. CHARGE 2: USE OF UNAUTHORIZED OVERTIME DISPARATED TREATMENT
IS A VIOLATION FOR AGE ANDSEX DISCRIMINATION**

Postal Service response: Admit jurisdiction to 42 U.S.C.200e-5(f) (3) &29 U.S.C.633a, All clerks in the finance had overtime. Based on junior clerk under the age of 40yrs and sex male employees? Junior part time clerks Latrice Hopskin, Felicia Hardy, and Rhonda Frazier etc. sex male employees Anthony Calven Ezell Jr, Grover Tilmon, Algen Bailey, during the month of March and I was issued a letter of 7 day suspension by Supervisor. REPORTED INFORMATION Affidavit Lisa Maya stated no authorized overtime COMPARISON Gail Rocket, and all others.

THERE IS PRIMA FACIE CASEANALYSIS ESTABLISHED OFPRIOR HARASSMENT PARTICIPATION IN PROTECTED EEO AVTIVITY. DOWNING v. U.S. POSTAL SERVICE, EEOC APPEAL NO 01932783 (APRIL 13, 1994) 3 STEP RULE INTENTIONAL AND DISPARATE TREATMENT evidence of discrimination, the more frequent method of establishing a *prima facie* case is through circumstantial evidence by showing that he or she: (1) belongs to a protected class; (2) was subjected to an adverse employment action; and (3) was treated differently in this regard than similarly situated individuals who were not members of the protected group.

b. CHARGE 1: FAILURE TO FOLLOW INSTRUCTIONS For retaliation materially adverse According to records of evidence Supervisor Lisa Maya allegation had no merits NO JUSTIFY CAUSE & HAD NO LEGITIMATE REASON FOR ISSUING DISCIPLINARY ACTION FOR FAILURE TO FOLLOW INSTRUCTION THAT WAS

PREMEDITATED, INTENTIONAL AND MATERIALLY ADVERSE. It was

rescinded by the Union to its entirety but I never recovered back pay.

Supreme Court of the United States, 2006 548 U.S. 53, 126 S. ct. 2405 .165 I. Ed 2d 345.

The nexus, link, causal connection has been established and the nexus for temporal proximity and causal links for casual links for motive of adverse employment retaliation action that she had taken against me was premeditated, and pretext prove that the employers reason were pretext intentional for discrimination BURDINE U450 U.S. at 254 HICKS, Supra us at 511. Her motive was adverse treatment based on retaliation motive as well

GARCIE-GANNON v. DEPARTMENT OF THE AIR FORCE, EEOC APPEAL No.01821195 (JUNE 30, 1083). BURLINGTON NORTHERN SANTA FE RAILWAY COMPANY v. WHITE, 125 S. CT. 2405 (2006): LINDSEY v. U.S. POSTAL SERVICE, EEOC REQUEST NO. 05980410 (NOVEMBER4, 1999) and EEOC Complaint Manual, Section 8 D 3. Notice No. 915003 (May 20, 1998). Therefore she created Harassment/Hostile work environment based on premeditation retaliation HARRIS v. FORKLIFT SYSTEM INDUSTRY with the intent to discriminate, and harass me. This took place because Mrs. Gladys Jolia held meeting and encourage her Supervisors to target me and harass me and write me up.

a. MRS. MAYA CREATED A HARASSMENT/HOSTILE WORK ENVIRONMENT The Supreme Court has held and employee who creates or tolerates a work environment when it is premeditated with "discriminatory, intimidating, ridicule and insult" that is sufficient, severe or persuasive to alter the conditions of an individual employment which creates and abusive environment is a violation of title VII. HARRIS v. FORKLIFT SYSTEM INDUSTRY. 510 U.S.17 1993. It is noted that complaint's entire case is based on retaliation for her previous EEO complaint activity. As previously indicated, in order to establish a *prima facie* case based on reprisal, a complaint must

MEANING OF "DISCRIMINATE AGAINST" – A MATERIALLY ADVERSE
ACTION BURLINGTON NORTHERN & SANTA FE RAILWAY v. WHITE Supreme court of
the United States, 2006 548 U.S. 53, 126 S. ct. 2405, 165 I. Ed 2d 345. MIXED MOTIVE
CREATING A HOSTILE AND HARASSMENT WORK ENVIRONMENT RETALIATION
HARASSMENT Over a 3 to 4 months' time span Failing to stop harassment McGivern v. U.S.
Postal Service, EEOC request No. 05931047 (Oct 7, 1993) JUNE OF 2003 CLAIMS FILED
CASUAL LINKS.

2. FAILURE TO STOP HARASSMENT & CREATING A HOSTILE WORK ENVIRONMENT I
have over 50 dates of complains of Harassment Causal Link of unlawful activity 911 calls,
police reports, write ups & EEO Claims filed The nexus, link, casual connection has been
established and the nexus for temporal proximity and casual links for motive of adverse
employment retaliation action that she had taken against me was premeditated, and pretext
prove that the employer's reason were pretext intentional for discrimination BURDINE U450
U.S. at 254 HICKS, Supra u.s.t 511 Her motive was adverse treatment based on retaliation
motive as well GARCIE-GANNON v. DEPARTMENT OF THE AIR FORCE, EEOC APPEAL
No.01821195 (JUNE 30, 1083). BURLINGTON NORTHERN SANTA FE RAILWAY
COMPANY v. WHITE, 125 S. CT. 2405 (2006): LINDSEY v. U.S. POSTAL SERVICE,
EEOC REQUEST NO. 05980410 (NOVEMBER4, 1999) and Title VII. HARRIS v. FORKLIFT
SYSTEM INDUSTRY. 510 U.S.17 1993 it is noted that complainant's entire case is based on
retaliation for her previous EEO complaint activity.

As previously, indicated, in order to establish prima facie case based on reprisal, a
complaint must show that: (1) he or she engaged in prior protected activity; (2) the agency
official was aware of the protected activity; (3) he or she was subsequently disadvantaged by an
adverse employment action or adverse treatment; and (4) there is a casual link between the
protected activity and adverse action/treatment HOCHATADT v. WORCHESTER FOUNDATION
FOR EXPERIMENTAL BIOLOGY, INC. Supra, ALL (4) FOUR PRONGS HAS BE SATISFIED.

Lisa Maya was my former Supervisor in the finance dept. She was made aware of me filing a Civil Action Law Suit. That was filed Sept. 5, 2008 on the Station Manager, Mrs. Gladys Jolia at the Fort Dearborn post office she had to approve my leave for court appearance and also she was aware of the prior claim filed Dec. 31, 2009 on Mrs. Alice Chatman for discrimination retaliation harassment before the claim was filed against her 03-31-2010 for discrimination, premeditated, intentional, retaliation that was materially adverse action that she used against me. I have over 50 incidents and claims filed 3-4 months of adverse action record of evidence that was filed with EEO and the lower courts for failure to stop harassment and proof of evidence of unlawful and retaliation activity.

THE ANALYTICAL FRAMEWORK FOR RETALLIATION CLAIMS FOR PRIMA FACIE CASES HAS BEEN ESTABLISHED BY SUPERVISOR LISA MAYA FAILURE TO STOP HARASSMENT & CREATING A HOSTILE WORKPLACE Casual Link of unlawful activity 911 police reports, write ups and EEO Claims filed 03-31-2010 for discrimination, premeditated, intention, retaliation that was materially adverse action that she used against me.

I have over incidents and claims filed 3-4 months of adverse action record of evidence that was filed with EEO and the lower courts for failure to stop harassment and proof of evidence of unlawful and retaliation activity to retaliate for filing of a charge of sexual harassment, the plaintiff need not also prove that the employer participated in or knew or should have known of the retaliatory conduct to hold the employer liable.

In Burlington Industries, Inc. v. Ellerth, 524 U.S.742, 118 S. Ct. 2257. 141 I. Ed.2d 662 (1998), reproduced in Chapter 10, the Supreme Court interpreted Title VII to impose vicarious liability on employers for and actionable hostile work environment created by a supervisor with authority over the employee victim.

CONCLUSION

Suspended White without pay. White invoked internal grievance procedure. Those procedures led Burlington to conclude that White had not been insubordinate. Burlington

reinstated White to her position and awarded her back pay for the 37 days she was suspended.

White and additional retaliation charge the EEOC based on the suspended.

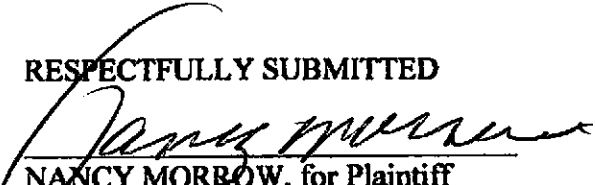
And again because management disagreed withal my disputes and I was told and was issued a 7 day suspension because supervisor Lisa Maya used Unauthorized Overtime discrimination based on age and sex, failure to stop harassment , and retaliation used as for retaliation materially adverse action.

According to records of evidence Supervisor Lisa Maya allegation had no merits. NO JUSTIFY CAUSE & HAD NO LEGITAMATE REASON FOR ISSUING ME A 7 DAY SUSPENSION AND 40HRS LOSS OOF PAY. It was rescinded by the Union to is its entirety but I never recovered back pay Due to prior litigation with postal service of a change of address to another postal offing being returned to sender put me behind on my bills about two months on my mortgage and had two car notes and with a 7 day suspension left me devastated. I have suffered a direct and personal deprivation at the hands of the agency that is considered a "person aggrieved" under the commission's Regulations.

As It being stated that commission's federal sector case precedent has long found and "aggrieved employee" to be one who "has suffered direct and personal deprivation at the hand of the employer" (defining and "aggrieved employee" as one who suffers present harm or loss with respect to a term, condition, or privilege of employment for which there is a remedy.

The Postal Service has devastated my life on a physical and psychological level and health, safety, and welfare included, but not limited to the loss that caused me financial hardship. I feel that only a substantial payment would vindicate my rights.

RESPECTFULLY SUBMITTED


NANCY MORROW, for Plaintiff
Authorized Representative
Pro Se

NAME NANCY MORROW
ADDRESS 11330 SO. LAFLIN
CITY CHICAGO IL 60643

CERTIFICATE OF SERVICE

I hereby certify that on _____ I electronically filed PLAINTIFF'S MEMORANDUM
IN SUPPORT OF HER MOTION FOR SUMMARY JUDGMENT with the Clerk of Court filing(s) to the following:

James M. Kuhn, Sr.
Assistant United States Attorney
219 South Dearborn Street
Chicago, IL 60604

2013 FEB 26 10 25 AM
U.S. DISTRICT COURT
N.D. ILL.

Affidavit
Exhibit 1
1-5

**U.S. Postal Service
EEO Investigative Affidavit (Witness)**

Page No. 1		No. Pages 5	Case No. 4J-808-0103-10
1. Affiant's Name (Last, First, MI) Maya, Lisa		2. Employing Postal Facility Cardiac Colling Processing & Distribution Center	
3. Position Title Supervisor, Distribution Operations	4. Grade Level EAS-17	5. Postal Address and Zip +4 433 W Harrison St Chicago IL 60609-8888	6. Unit Assigned

Privacy Act Notice

Privacy Act Notice. The collection of this information is authorized by the Equal Employment Opportunity Act of 1972, 42 U.S.C. § 2000e-16; the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 633a; the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794a; and Executive Order 11478, as amended. This information will be used to adjudicate complaints of alleged discrimination and to evaluate the effectiveness of the EEO program. As a routine use, this information may be disclosed to an appropriate government agency, domestic or foreign, for law enforcement purposes; where pertinent, in a legal proceeding to which the USPS is a party or has an interest; to a government agency in order to obtain information relevant to a USPS decision concerning employment, security clearance, contracts, licenses, grants, permits or other benefits; to a government agency upon its request when relevant to its decision concerning employment, security clearance, security or suitability investigations, contracts, licenses, grants or other

benefits; to a congressional office at your request; to an expert, consultant or other person under contract with the USPS to fulfill an agency function; to the Federal Records Center for storage; to the Office of Management and Budget for review of private relief legislation; to an independent certified public accountant during an official audit of USPS finances; to an investigator, administrative judge or complaints examiner appointed by the Equal Employment Opportunity Commission for investigation of a formal EEO complaint under 29 CFR 1614; to the Merit Systems Protection Board or Office of Special Counsel for proceedings or investigations involving personnel practices and other matters within their jurisdiction; and to a labor organization as required by the National Labor Relations Act. Under the Privacy Act provision, the information requested is voluntary for the complainant, and for Postal Service employees and other witnesses.

USPS Standards of Conduct

Postal Service regulations require all postal employees to cooperate in any postal investigation. Failure to supply the requested information could result in disciplinary action. (ELM 686)

COMPLAINANT: Nancy Morrow

CLAIM: Complainant alleged discrimination based on Age (Not Specified) and Retaliation (prior EEO activity) when on April 18, 2010, she received a 7-day suspension dated April 12, 2010.

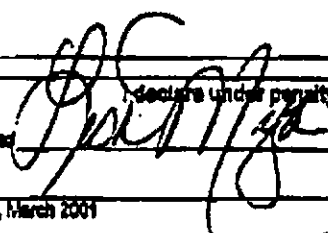
IF ANY OF THE QUESTIONS BELOW ARE NOT APPLICABLE TO YOU, PLEASE RESPOND BY ANSWERING "N/A."

1. State your name, current position, level and work location (including address, telephone number and e-mail address).

Lisa Maya, supervisor distribution operations, EAS-17, Cardiac Collins Processing & Distribution Center; 433 W Harrison St, Chicago, IL 60609-8888 lisa.m.maya@usps.gov 312-983-7750

2. If your position and/or work location was different in April 2010, please provide your position, level and work location at that time. Include details and/or temporary assignments.

Supervisor Customer Services, Fort Dearborn Station in Chicago, IL. I left this position November 8, 2010.

Affiant's Signature 		Date <u>1.14.11</u>	
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PS Form 2848-B, March 2001

-1-

3. At the time of the action complained of, please identify the reporting relationship you had with Complainant, if any. [Example: "I was/was not her direct supervisor."]

She reported to someone else. I was the fill in supervisor for the normal supervisor who was off that day.

4. What is your age and date of birth?

I am 35. My date of birth is August 27, 1975.

5. What is Complainant's age and date of birth? When and how did you become aware of her age and date of birth?

I do not know.

6. Are you aware of any prior EEO activity by Complainant (excluding the present complaint)? If so, please provide the approximate date that you became aware of Complainant's prior EEO activity and briefly describe the EEO activity Complainant participated in.

I've heard she's filed other cases, but I don't know what they are pertaining to. When I first started there in March 2008, my second day there, I had to take some type of action against her. She filed an EEO on me back then. I do not remember what it involved in 2008.

- a. If so, when and how did you become aware of the Complainant's prior EEO activity?

See above.

- b. To your knowledge, have you been named by the Complainant as a Responsible Management Official or witness, in a prior EEO Complaint that he/she filed? If so, please identify the case number(s) and identify the issue(s) involved in the complaint? What was your personal involvement in the prior EEO case(s) filed by the Complainant?

See above

7. Were you aware of the Complainant voicing opposition to discrimination in an open manner?

No

- a. If so, when and how did you become aware?

N/A

8. Why was Complainant issued a 7-Day Suspension on or about April 12, 2010? Please fully explain the circumstances and what had occurred that led to the suspension

On that particular day, I was in the lobby. She ends her tour at 3:30. She closed her window at 3:30. I instructed her to reopen her window and she told me no. I instructed her again and proceeded to give me a bunch of reasons as to why she didn't want to open. I didn't continue the conversation any further because it was in the lobby and I didn't want to cause a scene. It was a 7-day suspension because she already had a Letter of Warning and it was

I declare under penalty of perjury that the foregoing is true and correct.

Affiant's Signature

Date

1.14.11

progressive. On top of her closing an hour early, she went into unauthorized overtime. I didn't understand how she went into overtime when she shut down an hour before the end of her tour. She said she went into overtime because she had to close out, but that does not take an hour. It should take no more than fifteen minutes for a Sales and Services Associate to close out. She never did reopen her window. Her 7-day was for failure to follow instructions. The unauthorized overtime was in addition to the failure to follow instructions. The main issue was her failure to follow instructions when I instructed her to open her window and she blatantly refused.

- a. What was your involvement, if any?

— I issued the 7-day.

- b. Were any other Management Officials involved? If so, please identify by name, job title, phone number, email, and type of involvement.

Mr. Antoine Echols was the tour superintendent and he concurred. Gladys Jolla was not involved. She was the station manager.

- c. In the last year were you involved in any other employee being issued discipline for failure to follow instructions or unauthorized overtime? If so, identify by name, EIN, job title, age, date of birth, known EEO activity, date and type of discipline issued, and circumstances.

There have been way over 20, usually when I ask an employee to do something they just do it because they know the work has to get done. I know both areas of responsibility so I am moved around quite a bit. In any area I worked in, if a person was not following their job, they received corrective action. No other employee has flat told me no. I didn't spend most of my time in finance. It was one day here or there, but it was nothing consistent. I did not issue disciplinary action to anyone else in finance because it was not necessary. Ms. Morrow does not like to be given instructions. She's very argumentative.

- d. Has any other employee under your supervision, failed to follow instructions or have unauthorized overtime in the last year and not been disciplined? If so, identify by name, EIN, job title, age, date of birth, known EEO activity, circumstances, and reason no discipline was issued.

No

- e. Please identify any rules, contract provisions and/or policies (including ELM provisions and local policies) that you believe are applicable to this issue.

The charge would be failure to follow instructions. They know you can't go into overtime without permission. We do need to fill out the 1017 A and 1017 B. Ms. Morrow is not on the overtime desired list. There is no way she can work overtime. She chose not to become part of that list. If any activity she is performing would cause her to go into overtime, she has to inform them so they can delegate the rest of that task to someone else in order for her not to go into overtime.

Affiant's Signature

[Handwritten Signature]

Date

1.14.11

PS Form 2688-B, March 2001

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- f. Was a grievance filed with respect to this issue and, if so, provide the status of the grievance. Describe fully the settlement or resolution of the grievance, if any.

They did request information. I believe the Union filed a grievance on her behalf. From what I gather, she served the suspension without permission. She has more than twenty years of service which meant she would not have served her suspension until the grievance was resolved, but she went out on her own. Nobody knew what happened to her so she was AWOL for that week. Based on her AWOL she was issued another corrective action for being AWOL.

- g. Please identify the correct name, job title, supervisor, if they worked in the finance department, age, date of birth, and known EEO activity for the following employees: Please indicate if any of the following individuals have had unauthorized overtime or failed to follow instructions in the last year?

a. Tawan Coleman - age/date of birth unknown, no known EEO activity; sales service distribution associate; finance department; she has not failed to follow my instructions or had unauthorized overtime to my knowledge. She is on the overtime desired list. If I needed her to work overtime, I instructed her to stay. If I didn't need her, I instructed her to go home and she went home.

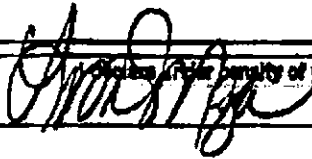
b. Mildred Samuels - age/date of birth unknown; no known EEO activity; sales service associate; finance department. She has not failed to follow my instructions or had unauthorized overtime to my knowledge. She has filed in as supervisor and is on the overtime desired list.

c. Gail Rocket - age/date of birth unknown; no known EEO activity; sales service distribution associate; finance department. She has not failed to follow my instructions or had unauthorized overtime to my knowledge. She is not on the overtime desired list.

d. Angela Howard - age/date of birth unknown - her birthday is in October sometime; no known EEO activity; finance department full-time; sales service distribution associate. She has not failed to follow my instructions or had unauthorized overtime to my knowledge. She is not on the overtime desired list, but she has worked overtime due to staffing. They asked her to stay. She works in the evening to close out the finance unit. There have been times when there was no one there to close out the finance unit so they asked her to stay. If she had not stayed there would have been no one to service customers from 6:00 - 8:30 pm. Ms. Morrow works in the morning.

e. Angela Gladney - age/date of birth unknown; no known EEO activity; finance department as needed if they are short-staffed in the morning; sales service distribution associate. She has not failed to follow my instructions or had unauthorized overtime to my knowledge. She is not on the overtime desired list.

f. Latrice Hobson - She is 38. Her date of birth is October 1, 1974. She has no known EEO activity; finance department as needed; sales service distribution associate, part-time regular. She cannot work more than six hours a day contractually. She cannot do any overtime. She has not failed to follow my instructions.

Affiant's Signature 		Date <u>7-14-11</u>
---------------------------------------------------------------------------------------------------------	--	---------------------

PS Form 2686-B, March 2001

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- g. Falecia Hardy – part-time regular 7 hours a day, five days a week; she has not been in our facility for at least a year. She's maybe in her late 30's or early 40's. She has no known EEO activity. She has not failed to follow my instructions. Her biggest problem has always been her attendance. To my knowledge, she hasn't had unauthorized overtime. She cannot go past her 7 hours due to her part-time regular status. She cannot go past 7 hours.

10. Is there any other information that you would like to add to your affidavit relevant to this issue?

I based issuing Complainant a corrective action based on her actions and behavior. It has nothing to do with how old she is or anything like that. It was not based on her prior EEO activity. There were no hidden agendas behind the issuance of that corrective action. I do know she has issues with taking instruction. She is extremely argumentative. She has been very fortunate that most supervisors have learned her personality. Her behavior alone should have had her terminated, but we all realize this is just her personality. Being blatant in the lobby is not going to be tolerated in front of customers. Any employee who acted as such in front of customers would have been issued a corrective action. I've always had an open door policy. If you have a problem with something I say or do, you can bring it to my attention so we can correct it, but doing it on the floor in front of customers is conduct unbecoming. When I issued her the corrective action, I could have worded it several ways. It was based on her work habits and her work behavior. The person and the worker are two different people.

11. Please forward copies of the following documents:

- a. Copies of any documentation referenced in your affidavit testimony.
- b. Copies of any correspondence (including e-mails) between Complainant and you regarding this issue.
- c. Copies of any correspondence (including e-mails) between you and other management officials regarding this issue.
- d. Copy of 7-day suspension and request for discipline for Complainant
- e. Copy of request for discipline and discipline issued to employees identified in 8c, 8d, or 10 of your affidavit
- f. TACs unauthorized overtime report for the last year or the name, phone number, and email address of the TACs manager
- g. POS system daily transaction log for March 31, 2010
- h. Grievance package, if any, including documentation of any resolution reached
- i. Copy of an applicable LMOU

Affiant's Signature: 

Date: 7.14.11

PS Form 2468-B, March 2001

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Exhibit 1

1-78

April 12, 2010

SUBJECT: 7-Day Suspension

Nancy Morrow
11530 S Laffin Street
Chicago, IL 60643

EIN: 02780982
Job Title: Distribution Clks/Mhs
Pay Location: 144

I am issuing to you this 7-Day Suspension for the reason(s) set forth below. Unless delayed by the initiation of a timely grievance, you will begin your suspension effective on May 9, 2010 at 07:00am. You are to return to duty at your regularly scheduled reporting time on your first regularly scheduled day following May 15, 2010.

CHARGE 1: FAILURE TO FOLLOW INSTRUCTIONS

On Wednesday, March 31, 2010, at approximately 2:30 pm, you closed your window and prepared the end of day close out procedure. I informed you that it was early and you needed to open your window again to service customers. You began to give me many different reasons as to why you were closing out. You still did not reopen your window to service the customers.

CHARGE 2: USE OF UNAUTHORIZED OVERTIME

On Monday, March 29, 2010 you used .21 units of overtime, on Tuesday, March 30, 2010 you used .12 units of overtime and on Wednesday, March 31, 2010, and you used .18 units of overtime. The time usage is verified by your clock rings in TACS. On all three days respectively you were not asked to stay and work any overtime and you closed your retail window in more than enough time to end your tour within your scheduled eight hours.

On Monday, April 12, 2010 I conducted an investigative interview with you. I asked you if you recalled the conversation I had with you when I instructed you to reopen your retail window and service the customers because you had closed early; you stated that you did recall and you did reopen. I stated that you did not reopen as instructed and you stated you were open to input the data from your customs forms. I again emphasized that you did not service the customers as I requested. When I asked you about the use of the unauthorized overtime, you stated that your paperwork had to be corrected and no one assisted you in rectifying the issue. You also stated that in working in finance more than one person closes at the same time and sometimes you can run over in your time. I stated that I observed you closing your window at approximately 2:30pm everyday, giving you sufficient amount of time to complete the closeout procedure within your eight hours. You also stated that the

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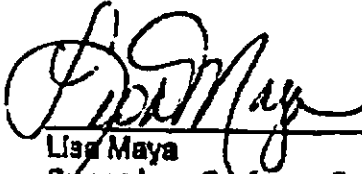
II. Grievance Rights.

In response to this corrective action, you have the following rights:

You have the right to file a grievance under the procedures set forth in Article 15 of the National Agreement within fourteen (14) days of your receipt of this notice.

Issued By:

Concurred By:



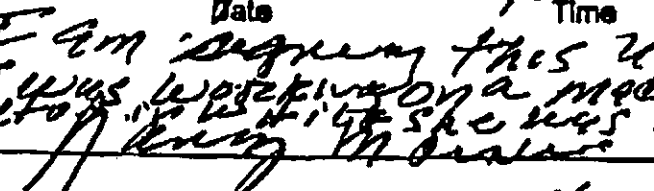
Lisa Maya
Supervisor, Customer Services
Fort Dearborn Station, 60610/11



Antoine Echols
Tour Superintendent, Postal Operations
Fort Dearborn Station, 60610/11

I received this corrective action on:

April 15, 2010
Date Time

I am signing this under protest as I was working on a machine that was making a noise while she was aware of it.
Employee's Signature: 

*HAD 450.00 of meter strip from
VOIT CREDIT CARD'S Transition of
PEOPLE with DEBIT CARD BTE.
my machine was the only machine
that the DEBIT CARD didn't work
THIS BEEN LIKE A SET UP.*

29978



UNITED STATES
POSTAL SERVICE®

220 Complaint of Discrimination in the Postal Service

(See Instructions and Privacy Act Statement on Reverse)

1. Name Nancy MURRAY		2. SSN 35456807	3. Case No. 4J-606-0103-10
4a. Mailing Address - Street or PO Box 11530 80th Ln. W.		4b. City State & Zip +4 CHgo IL 60643	
5. Email Address N/A		6. Home Phone 312-644-7603	7. Work Phone 312-644-7603
8. Position Title (USPS Employees Only) CLERK	9. Grade Level (USPS Employees Only) 6	10. Do you have Veteran's Preference Eligibility? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Installation Where You Believe the Discrimination Occurred (Identify Installation, City, State, and Zip+4) Fort Dearborn Station 540 N - Dearborn CHgo IL 60607		12. Name and Title of Person(s) Who Took the Action(s) You A Discriminatory Manager of the Station Mrs. Carolyn's son Superintendent Bellows and Sup Lisa MA	
13a. Name of Your Designated Representative Union		13b. Title CLERK	
13c. Mailing Address (Street or P.O. Box) 640 N - Dearborn		13d. City, State and Zip +4 CHgo IL 60640	
13e. Email Address N/A		13f. Home Phone 312-644-7603	13g. Work Phone ()
14. Type of Discrimination You Are Alleging <input type="checkbox"/> Race (Specify): Disparate treatment <input type="checkbox"/> Color (Specify): pretext for <input type="checkbox"/> Religion (Specify): discrimination <input type="checkbox"/> National Origin (Specify): Civil Code		15. Date on which alleged act(s) of Discrimination Took Place 12-12-2010 (7 DAY SUSPENSION)	
16. Explain the specific action(s) or situation(s) that resulted in you alleging that you believe you were discriminated against (treated differently than other employees or applicants) because of your race, color, religion, sex, age (40+), national origin, or disability. Note that if your allegation is like or related to a previous complaint, that complaint may be amended. 29 C.F.R. § 1614.108(d) CIVIL CODE LISA MAYA HAS USED Disciplinary Action as a Act of RETALIATION against me Her action was pretexted, factua NO mere mistake, DELIBERATE, Slander, DEFRACTION of my char She created a Hostile Environment for me She altered the terms and condition by altering the system to justify HER actions for writing me up she show Disparate treatment and said I used an unauthorized overtime and the whole Department was it when it was investi by union. I HAVE records that I closed out at 3013 and not at 3130. She refused to have a step 1 with the union to delay my action of a 7 Day Suspension I loss a week off			
17. What Remedy Are You Seeking to Resolve this Complaint? (Refer to Second Page) → work Compensation for unlawful Activity Against me FRAUD - THIEF People are unreasonable (If I didn't HAVE EVIDENCE I would be a Loss cause)			
18. Did You Discuss Your Complaint with a Dispute Resolution Specialist or a REDRESS™ mediator? <input checked="" type="checkbox"/> Yes IT WAS DISCUSSED with the OGB and the Inspector S <input type="checkbox"/> No			
19a. Signature of Dispute Resolution Specialist [Signature]		19b. Date 5/14/2010	
20. Signature of Complainant or Complainant's Attorney Nancy Murray		21. Date of this Complaint 6-28-10	

*Providing this information will authorize the U.S. Postal Service to send you important documents electronically.



Reference: PRE-020603-2010

Information for Pre-Complaint Counseling

On 4/16/2010

(Month, Day, Year)

you requested an appointment with a Dispute Resolution Specialist.

Important: Please read. You should complete this form and return it to the EEO office within 10 calendar days of receipt. This is the only notification that you will receive regarding the necessity for you to complete this form.

A. Requester Information

Name (Last, First, MI)

MORROW NAMEC

Social Security

354-56-8107

Home Telephone No.

312-644-7603

Your Mailing Address

11530 So. LAFAYETTE

Name of Postal Facility Where You Work

Fort Dearborn Station

Finance Number

161517

Address of Postal Facility

540 N. Dearborn

Office Telephone No.

312 644 760

Email Address

NA

Employment Status (Check One)

☐ Applicant☐ Casual☐ TE☒ Career

Position Title

Window/Dist

Grade Level

(6)

Pay Location

Tour

Duty Hours

7:00-3:30

Off Days (If Tour, show Nights Off)

FRI/SAT

Time in Current Position

23/18 Months

Your Supervisor's Name

MRS. WHEAT CATHAMIAN 8-12

Supervisor's Title

Supervisor's Telephone No.

(312 644 7603)

*Providing this information will authorize the U.S. Postal Service to send you important documents electronically.

B. Discrimination Factors

Prohibited discrimination includes actions taken based on your Race, Color, Religion, Sex, Age (40+), National Origin, Physical and/or Mental Disability, or in Retaliation (actions based on your participation in prior EEO activity). These categories are referred to on this form as factors. What factor(s) of Discrimination are you alleging? (Please be specific, i.e., Race-African American, Sex-Female).

HARASSMENT, SLANDER, DISPARATE TREATMENT & RETALIATION

THIS LADY TRIED TO REMOVE 331-10 ACTIVITY FROM THE POS SYSTEM TO JUSTIFY HER REASON FOR WRITING ME UP FOR FRAUD

1. On Sept 5, 2000, I engaged in EEO activity. Case No.: CIVIL ACTION LAW SUITE

2. On Aug 31, 2010, I engaged in EEO activity. Case No.: SUPERINTENDENT ROBERT HARRIS REFUSED TO ALLOW ME IN THE LOCK AREA BY BLOCKING IT AND REFUSED TO MOVE

SEPT-2010-DRAFTING ME ON MY RDO AND NOT UTILIZING THE JUNIOR CLERK

C. Description of Incident/Action

Please use the space below to briefly describe the incident or action that prompted you to seek EEO counseling at this time.

On MAR 31,

Month, Day

I was altered the system by trying to 331-10

Month, Day

On Wed March 31, 2010 MRS. MEYER 215A

said she instructed me to continue to serve customer at 2:30 and she claimed that. I began closing out the machines to end my day and therefore she gave me a letter of suspension for 7 days for failure to following instruction. and she said I HAVE UNAUTHORIZED OVER TIME. MY CLOSING OUT BEGAN AT 3:03 and I continue to SERV. customer past 3:30 I HAD .00 ADJA.

PS Form 2564-A, March 2001 (Page 1 of 3)

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Formal Complaint

Page 8 of 27

D. Comparisons

Explain why, based on the factors you cited in Section B, you believe that you were treated differently than other employees or applicants in similar situations

1. Tawon Coleman window clerk Black
(Name of Employee)
Factor(s) that describe the employee, i.e., sex (male), National Origin (Hispanic)
was treated differently than I when: She is allow to go over her time every day after the work and sleep
2. Mirabel Inamul window clerk Black
(Name of Employee)
Factor(s) that describe the employee, i.e., sex (male), National Origin (Hispanic)
was treated differently than I when: Allow to stay over if necessary
3. Gash Rocket window clerk
(Name of Employee)
Factor(s) that describe the employee, i.e., sex (male), National Origin (Hispanic)
was treated differently than I when: Had to wait to get chasing and has gone over time. Angelika window clerk Black - has gone over time. Angelika window clerk Black - has gone over time.

E. Official(s) Responsible for Action(s)

List the name(s) of the official(s) who took the action that prompted you to seek counseling at this time.

- | | | | |
|-----------|----------------------|----------------|--------------------|
| 1a. Name | <u>LISA MEYERS</u> | b. Title | <u>Supervisors</u> |
| c. Office | <u>Port Dearborn</u> | d. Grade Level | <u>16</u> |
| 2a. Name | <u>Chadys Tolim</u> | b. Title | <u>Manager</u> |
| c. Office | <u>Port Dearborn</u> | d. Grade Level | |

Retaliation Allegations Only: Was/were the official(s) listed in Section D above aware of your prior EEO activity?

- ☐ No ☒ Yes If yes, explain how the official(s) became aware: Lisa Meyers was my formal supervisor over two years ago and she was aware that I was must aware.

F. Resolution

What are you seeking as a resolution to your pre-complaint?

- Compensation and action taken against her for abusive her authority and shunning me, waiting me up for 2 day supervisors boss

G. Grievance/MSPB Appeal

On the incident that prompted you to seek EEO counseling, have you:

1. Filed a grievance on the same issue? ☒ No ☐ Yes If yes, N/D (Date) (Current Step)
2. Filed a MSPB appeal on this issue? ☐ No ☐ Yes If yes, (Date Appeal Filed)

11. **Complaint:** Jurisdiction over the statutory violation alleged is conferred as follows: over Title VII claims by 28 U.S.C. § 1331, 28 U.S.C. § 1343(a)(3), and over A.D.E.A. by 42 U.S.C. 12117.

Response: Admit jurisdiction pursuant to 42 U.S.C. § 2000e-5(f)(3) and 29 U.S.C. §633a, and deny remaining allegations.

12. **Complaint:** The defendant: (f) failed to stop harassment; (g) retaliated against the plaintiff because the plaintiff did something to assert right protected by the law identified in paragraphs 9 and 10 above.

Supervisor – Lisa claimed I close out at 2:30 but my papers showed I close out at 3:03 (4J-606-0125-06); After filing a civil action Sept 5, 2008 — causal links failed to stop harassment (4J-606-0145-09). Aug 3, 2009, Aug 4, 2009, Sept 5, 2009, Nov 8, 2009 claims filed EEO-protected. Write-ups, unlawful activity, harassment, retaliation, retaliation used as disciplinary action, age discrimination. Interfering with my work performance. I was harassed write-up for failing to follow instructed and was charged with unauthorize overtime and was discriminated under the age of 40 yrs. And Gender, sex. Lisa Maya created an hostile work environment. Overtime was done everyone in the Finance Dept. Disparate treatment.

Based on pretext and peter on of behavior by manager Mrs. Gladys Jolia and though meeting supervisor were encouraged to target me. Under station manager Mrs. Jolia I was target by the inspector service and customers who was posing as mystery shoppers and customer who had lock boxes that was hired as agents.

Response: Deny.

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



Office of the Clerk
Phone: (312) 435-5890
www.ca7.uscourts.gov

ORDER

November 2, 2012

Before

RICHARD A. POSNER, *Circuit Judge*
DANIEL A. MANION, *Circuit Judge*
DIANE S. SYKES, *Circuit Judge*

No.: 12-2666	NANCY MORROW, Plaintiff - Appellant v. PATRICK R. DONAHOE, Postmaster General, Defendant - Appellee
Originating Case Information:	
District Court No: 1:11-cv-04349 Northern District of Illinois, Eastern Division District Judge Charles R. Norgle	

The following is before the court: APPELLEE'S MOTION FOR SUMMARY AFFIRMANCE OR TO RESET BRIEFING SCHEDULE, filed on October 23, 2012, by counsel for the appellee.

This court has carefully reviewed the orders of the district court, the record, and appellant's opening brief. Based on this review, the court has determined that further briefing would not be helpful, *see Mather v. Village of Mundelein*, 869 F.2d 356, 357 (7th Cir. 1989), and that further district-court proceedings are necessary to decide whether the appellant's seven-day suspension in 2010 gives rise to a nonfrivolous claim of age discrimination under the Age Discrimination in Employment Act, 29 U.S.C. § 621-34. Although the district court correctly noted that the ADEA does not authorize awards of compensatory or punitive damages, the appellant nonetheless may pursue appropriate equitable relief, including backpay. *See Espinueva v. Garrett*, 895 F.2d 1164, 1165 (7th Cir. 1990).

7 12/7/12

IT IS ORDERED that the appellee's motion for summary affirmance is **DENIED**.

IT IS FURTHER ORDERED that the judgment of the district court is **REVERSED** in regard to the appellant's age-discrimination claim and the case summarily **REMANDED** for further proceedings. In all other respects the judgment is **AFFIRMED**.

form name: c7_Order_3J(form ID: 177)

8-9-78

Finance
CLERKS
SEX MALES AND FEMALES

NAME	RDO	SENIORITY DATE
✓ Terry Jr, John	SU/MO	8/17/1982
✓ Coleman, Tawana	SA/SU	7/7/1984
✓ Ezell Jr, Grover	SA/SU	10/27/1984
✓ Reed Jr, Arthur	SU/THU	4/17/1985
Burrage, Johnnie	SU/FRI	7/1/1985
✓ Gordon, Linda	SU/THU	7/8/1985
Tilmon, Algen	SA/SU	9/25/1985
Anderson, Beverly	SA/SU	10/9/1985
Echols, Verna	THU/FRI	12/7/1985
Blanton, Melcina	THU/FRI	2/1/1986
Cottrell, Rachel	THU/FRI	5/16/1987
Morrow, Nancy	SA/FRI	2/11/1989
Howard, Angela	SA/SU	6/17/1989
Weilers, Gerald	SU/TU	4/3/1993
Perry, Betty	SU/MO	8/28/1993
Gladney, Angela	SA/SU	10/21/1993
Banks, Betty	SU/WED	10/10/1994
Samuels, Mildred	SA/SU	11/1/1973
Gonnigan, Angela	SU/TU	12/11/1979
Outlaw, Shirley	SA/SU	2/5/1980
Marshall, Beverly	SU/THU	5/30/1985
Bland, June	SA/SU	8/28/1985
✓ Rockett, Gale	SU/FRI	9/23/1985
Bailey, Thomas	SU/THU	10/10/1987
✓ Wynn-Thomas, Tammy ^{JACKSON, Tammy}	SA/FRI	4/23/1988
✓ Smith, Keith	SA/SU	10/30/1993

9 478

SENIORITY LIST PART TIME REGULAR CLERKS

UNDER AGE OF 40 YRS AGE

Garold Logan	07/01/1985
Tonya Carter	02/03/1986
Wilma Green	11/07/1987
Salimah Muhammad	05/01/1991
✓ Felicia Harding	06/20/1998
Leslie Butler	07/04/1998
Doris Smith	07/04/1998
✓ Lakesha Atkins	07/06/1998
✓ Latrice Hobson	10/10/1998
Joan Burns	10/10/1998

10 428

Clark: 24

Period Start: 03/31/2010 9:02 AM

Period End:

USPS FGS ONE

FCRT DEARBCRM

Unit Number: 1815170701

ZIP Code: 30810

Date: 03/31/2010 3:09 PM

Credit Card

version 1.0

Clark ID 24

Period Start: 03/31/2010 8:02 AM

Period End:

Item # Amount

XXXXXXXXXXXX8802	18.20
XXXXXXXXXXXX9728	1284.00
XXXXXXXXXXXX9957	130.40
XXXXXXXXXXXX3929	124.50
XXXXXXXXXXXX7024	121.88
XXXXXXXXXXXX5554	120.50
XXXXXXXXXXXX8425	118.30
XXXXXXXXXXXX3017	114.20
XXXXXXXXXXXX7570	18.04
XXXXXXXXXXXX7570	144.00
XXXXXXXXXXXX5581	18.80
XXXXXXXXXXXX9998	15.35
XXXXXXXXXXXX1850	18.14
XXXXXXXXXXXX5882	18.39
XXXXXXXXXXXX4031	14.30
XXXXXXXXXXXX7218	14.03
XXXXXXXXXXXX8178	110.71
XXXXXXXXXXXX9537	17.70
XXXXXXXXXXXX9414	1184.70
XXXXXXXXXXXX1813	119.10
XXXXXXXXXXXX9483	115.34
XXXXXXXXXXXX5727	118.30
XXXXXXXXXXXX5750	14.40
XXXXXXXXXXXX8078	15.13

Total 24 1708.53

Receipt # Amount

1CC0701199844	120.00
1CC0701199844	(111.20)
1CC0701199889	11.00
1CC0701199889	(10.39)
1CC0701199893	120.00
1CC0701199893	(14.11)
1CC0701200007	120.30
1CC0701200007	(12.00)
1CC0701200015	11.00
1CC0701200015	(10.12)
1CC0701200023	10.88
1CC0701200028	11.08
1CC0701200084	12.20
1CC0701200072	1140.00
1CC0701200080	120.50
1CC0701200080	(113.00)
1CC0701200078	(113.85)
1CC0701200551	12.00
1CC0701200551	(10.41)
1CC0701200510	113.85
1CC0701200538	11.00
1CC0701200538	(10.58)
1CC0701200452	120.00
1CC0701200452	(111.20)
1CC0701200171	12.00
1CC0701200171	(10.81)
1CC0701200208	11.35
1CC0701200208	(10.03)
1CC0701200213	128.00
1CC0701200213	(10.70)
1CC0701200114	10.55
1CC0701200114	(10.01)
1CC0701200148	120.00
1CC0701200148	(111.25)
1CC0701200158	120.00
1CC0701200158	(11.70)
1CC0701200183	120.00
1CC0701200183	(17.58)
1CC0701200801	11.00
1CC0701200801	(10.31)
1CC0701200827	120.00
1CC0701200827	(11.70)
1CC0701200835	12.20

Total 43 1295.80

3-31-10 CASH

TIME 2:30

DLG 5 STAMPS 2:20

TIME 2:31

4.40.
VISA FICHI

I CLOSING AT 30.3 3-31-2010
REFER TO CLOSING + PAPER FOR

116478

03/31/2010 2:03 PM \$96.00

1000701200585

TW Taiwan - Priority Mail Int'l

1/31/2010 2:08 PM \$0.00

000701200585

Postage Form #: CP4033131450S

1/31/2010 2:10 PM \$0.00

000701200585

03/31/2010 2:10 PM \$54.00

1000701200585

TW Taiwan - Priority Mail Int'l

1/2010 2:14 PM \$98.00

000701200585

Refund PVI

11/2010 2:14 PM \$54.00

000701200585

Refund PVI

11/2010 2:40 PM \$13.65

000701200668

Order

11/2010 2:41 PM \$1.10

000701200668

Domestic Money Order Fee-Removed

11/2010 2:41 PM \$1.10

000701200668

Domestic Money Order Fee

03/31/2010 2:42 PM \$13.65

1000701200668

Unused Postage Meter Strips - Verify N

OW

03/31/2010 2:49 PM \$13.65

1000701200678

Unused Postage Meter Strips - Verify N

OW

Prior Visit Voids/ Edits

Date/Time

Receipts

Description

Amount

03/31/2010 1:10 PM \$13.65

1000701200510

Post Void Card Tender: XXXXXXXXXXXX943

9

Total: 0.00

Total No Sale Transactions: 0

USPS POS ONE

FCRT DEARBORN

Unit Number: 1615170101

ZIP Code: 20611

Date: 03/31/2010 3:03 PM

Adjustment List
version 4.0

Clark: 24

Period Start: 03/31/2010 8:02 AM

Period End:

Date/Time	Amount
Receipts	
Description	

01/31/2010 9:02 AM	\$8.80
--------------------	--------

1000701200058

\$8.80 Love King and Queen of Hearts

03/31/2010 9:13 AM	\$18.30
--------------------	---------

1000701200072

\$18.30 Bixby Creek Bridge Express Mail

P

03/31/2010 11:01 AM	\$144.25
---------------------	----------

1000701200221

ST THOMAS VI 00801 Zone-B Express Mail

P

03/31/2010 11:01 AM	\$144.25
---------------------	----------

1000701200221

Refund PVI

03/31/2010 11:01 AM	\$144.25
---------------------	----------

1000701200221

Refund PVI

03/31/2010 11:01 AM	\$144.25
---------------------	----------

1000701200221

ST THOMAS VI 00801 Zone-B Express Mail

P

03/31/2010 12:53 PM	\$1.10
---------------------	--------

1000701200478

Domestic Money Order Fee

03/31/2010 12:57 PM	\$115.00
---------------------	----------

1000701200478

Dom. Money Order

03/31/2010 2:03 PM	\$0.00
--------------------	--------

1000701200585

12478



U.S. POSTAGE

CHICAGO, IL 60610

MAR 3 1999

1007

\$13.65

00-21113-24

3. and complete, legible, and valid unused m
oduced by PC Postage systems are not refur
s. If the total face value is more than \$350, a

Serial No.

(Group and list by postage)

Number of Pieces	Amount Each	Postage Value	Number of Pieces	Amount Each
1	1	13.65		
Total Postage Value:				

Grand Total

(10% of face value or \$35 per hour if over \$350. Minimum

Post Offices must destroy customer meter stamps to prevent reuse. The manager and a witness must sign to certify that the meter impressions listed above were destroyed.

Total

Supervisor/Manager Signature

Date

Witness Signature

Part 4 - Special Services and Other Refunds (Notice: Fees for registered mail, insured mail, and COI are

Explain the reason for the requested refund:

Amount of Refund to Which Claimant is Entitled
(In accordance with USPS policy)

Part 5 - Disbursements for Refunds (Issued Locally)

- 1) Postal Service official and witness must verify this claim and enter the approved amount in the "Approved Amount" section.
- 2) Certifying Postal Service official and witness are required to print and sign as authorization for payment or refund.
- 3) Ensure the proper accounting entries are performed on PS Form 1412.
- 4) For cash refund issued, obtain payee's signature below. For money order refund issued enter the money on the money order.
- 5) DO NOT SUBMIT PS Form 3533 to Scanning and Imaging Center if a refund is issued locally.

Payee Signature or Money Order Serial Number:

Part 6 - Disbursements Processed by the Accounting Service Center (ASC)

- 1) Postal Service official and witness must verify this claim and enter the approved amount in the "Approved Amount" section.
- 2) Certifying Postal Service official and witness are required to print and sign as authorization for payment or refund.
- 3) Ensure the proper accounting entries are performed:
 - a) If this is a refund, use the appropriate AIC for the refund. (See "Request Disbursement For" section.)
 - b) If this is a withdrawal from an advance deposit account, use the appropriate AIC 453 for IRM/Postage.
 - c) Ensure the AIC 230, Disbursement Sent to ASC, is performed either on Form 1412 or Postal Order.
 - d) Attach the supporting AIC 230 documentation (PS Form 3544 or 3533-X) to the PS Form 3533.
- 4) SUBMIT PS Form 3533 with attached AIC 230 supporting documentation to the USPS Scanning and Imaging Center.
- 5) Customer will receive the payment from USPS. NOTE: Maintain a copy of the PS Form 3533 locally for 30 days.

13
130478

FORT DEARBORN
CHICAGO, Illinois
606109998

1615420101-0093

3/31/2010 (312)644 3919 01:10:44 PM

Void Receipt

Product Description	Sale Unit Qty Price	Final Price
---------------------	---------------------	-------------

Void Payment

Total: - \$13.85

Paid by:

MasterCard

Account #: XXXXXXXXXXXX9439

Approval #: XXXXXXXXXXXX9439

Transaction #: 718

23902950088

Bill #: 1000701200510

Clerk: 24

Thank you for your business —
USPS Copy

FORT DEARBORN
CHICAGO, Illinois
606109998

1615420101-0093

03/31/2010 (312)644-3919 01:15:54 PM

Void Receipt

Product Description	Sale Unit Qty Price	Final Price
---------------------	---------------------	-------------

Post Void MasterCard \$13.85

Account #: XXXXXXXXXXXX9439

Approval #: XXXXXXXXXXXX9439

Transaction #: 718

23902950088

Total: \$13.85

Paid by:

Cash

\$13.85

Bill #: 1000701200510

Clerk: 24

All sales final on stamps and postage
Refunds for guaranteed services only
Thank you for your business

Customer Copy

FORT DEARBORN
CHICAGO, Illinois
606109998

1615420101-0093

03/31/2010 (312)644-3919 02:49:28 PM

Sales Receipt

Product Description	Sale Unit Qty Price	Final Price
---------------------	---------------------	-------------

Unused Postage Meter

Strip - Verify Now

Cash

Service Not Rendered

Cash

Total: \$13.85

Paid by:

Cash

\$13.85

Order stamps at USPS.com/stamp or
call 1-800-Stamp24. Go to
USPS.com/clickship to print
shipping labels with postage. For
other information call
1-800-ASK-USPS.

Get your mail when and where you
want it with a secure Post Office
Box. Sign up for a box online at
usps.com/poboxes.

Bill #: 1000701200678
Clerk: 24

All sales final on stamps and postage
Refunds for guaranteed services only
Thank you for your business

The customer's meter must be licensed at the refunding office, and complete, legible, and valid unused meter stamps must be submitted by the licensee with the indicia. Those produced by PC Postage systems are not refundable at the window. Charges are assessed at the discretion of the refunding office. If the total face value is more than \$150, a charge of \$15 is assessed for the actual value of the stamps.

Part 3- Special Services and Other Refunds (Note: Fees for registered, insured, and COF services are not ordinarily refundable.) Explain the reason for the requested refund:

Amount of Refund to Which Claimant is Entitled (In accordance with USPS policy)	\$
------------------------------------------------------------------------------------	----

Part 5: Disbursements for Refunds (Assessments)

- 1) Postal Service official and witness must verify this claim and enter the approved amount in the "Approved Amount of Disbursement".
- 2) Certifying Postal Service official and witness are required to print and sign as authorization for payment or withdrawal of trust account.
- 3) Ensure the proper accounting entries are performed on PS Form 1412.
- 4) For cash refund issued, obtain payee's signature below. For money order refund issued enter the money order serial number below.
- 5) **DO NOT SUBMIT PS Form 1513 to Scanning and Imaging Center if a refund is issued locally.**

Payee Signature or Money Order Serial Number:	Date
-----------------------------------------------	------

Part 6: Disbursements Processed by the Accounting Service Center (ASC)

- 1) Postal Service official and witness must verify this claim and enter the approved amount in the "Approved Amount of Disbursement".
- 2) Certifying Postal Service official and witness are required to print and sign as authorization for payment or withdrawal of trust account.
- 3) Ensure the proper accounting entries are performed:
 - a) if this is a refund, use the appropriate AIC for the refund. (See "Request Disbursement For" section)
 - b) if this is a withdrawal from an advance deposit account, use the appropriate AIC 453 for ERM/Postage Due or AIC 470 for permit
 - c) Ensure the offset to AIC 230, Disbursement Sent to ASC, is performed either in Form 1412 or Postal One-Stop system
 - d) Attach the supporting AIC 230 documentation (PS Form 1544 or 1533-X) to the PS Form 1533.
- 4) SUBMIT PS Form 1533 with attached AIC 230 supporting documentation to the USPS Scanning and Imaging Center.
- 5) Customer will receive the payment from USPS. NOTE: Maintain a copy of PS Form 1533 locally for 90 days.

159

FW: NANCY MORROW 43-606-0103-10

Page 2 of 3

To: Jolla, Gladys M - Chicago, IL
Cc: Grant, MAE K - Bloomingdale, IL
Subject: FW: NANCY MORROW 43-606-0103-10

Gladys,

Tried to reach you by phone. I left a message with Cassandra that I would be sending you this email.

Ms. Morrow received a 7-Day Suspension from SCS Lisa Maya on 4/12. It was reduced on 8/21.

Ms. Morrow claims to EEO that she served the time-off Suspension from 5/9 through 5/15.

Did she serve her 7-Day Suspension? If so, was she later paid for her time off?

Thanks for your help.

Herman Bingham | EEO Dispute Resolution Specialist
U. S. Postal Service | EEO Field Operations
433 W. Harrison Street | Chicago, IL 60699-9411

Office 312.983.8578 | Fax 312.983.8867

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From: Height, Joceline A - Tampa, FL
Sent: Wednesday, September 15, 2010 12:25 PM
To: Bingham, Herman B - CHICAGO, IL; Grant, MAE K - Bloomingdale, IL
Subject: NANCY MORROW 43-606-0103-10.

Herman,

I am working on the appeal for the subject case. She received a 7-day suspension dated 4/12/10. There is a 8/21/10 settlement in the file reducing the suspension to an Official Job Discussion (signed by Kofi Owusu-Ansah).

However, on appeal Ms. Morrow claims, First of all there is no discussion for a 7 day suspension with loss of pay of 40 hours because

<https://uspswebmail1.usps.gov/owa?ie=item&i=1PM.Note&id=RyAAAAA5x%2fBu0qu7...> 9/16/2010

Handwritten signature/initials

the Supervisor Lisa Maya had no justified cause and she refused to have a Step One with the Union to delay the action of the suspension that she was forced to take May 9-15.

Please look into this. Did she actually serve the suspension? If yes, she is right, there is no discussion for it, unless she was subsequently made whole.

If she did not serve the suspension, please have a management official complete an affidavit that the suspension was reduced to an official job discussion and that she did not serve the suspension. Please provide a copy of her clock rings for the dates in May.

If she did serve the suspension but was subsequently made whole, please have a management official attest to that and provide proof that she was made whole.

If she did serve the suspension and was not made whole, the dismissal may have to be reversed.

Joceline Haight
EEO Services Analyst
813-739-2014 (Phone)
850-577-6091 (Ace Fax)

M 7/16

Original To Supv: ^{lmt}

178

AMERICAN POSTAL WORKERS UNION, AFL-CIO

Mr. [unclear] 70% suspension

4-20-2010

Re: Ms. Lisa Mayn

Re: Supv of Mails/C.S.

From: M.A. BLANTON

Re: APLU Structure

SUBJECT: REQUEST FOR INFORMATION & DOCUMENTS RELATIVE TO PROCESSING A GRIEVANCE

We request that the following documents and/or witnesses be made available to us in order to properly identify whether or not a grievance does exist and, if so, their relevancy to the grievance:

1. DATE & TIME: Step I meeting, interview with issuing
2. Supervisor: C.A. or Action, copy of previous actions
3. Suspension of case; Copy of P.A.I.; Copy of overtime
4. Absent List; Copy of everything report for dates 3-29-
5. 31-10 of grievance; copy of everything report for
6. All clerks who worked in finance from 3-27-4-2-10

NOTE: Article 17, Section 3 requires the Employer to provide for review all documents, files, and other records necessary in processing a grievance. Article 39, Section 3 requires that the Employer make available for inspection by the Union all relevant information necessary for collective bargaining or the enforcement, administration or interpretation of any Agreement. Under 3(a) of the National Labor Relations Act it is an Unfair Labor Practice for the Employer to fail to supply relevant information for the purpose of collective bargaining. Grievance processing is an integral part of the collective bargaining process.

REQUEST APPROVED

4-20-10

REQUEST DENIED

[Signature]

Step I meeting to be held by 4-29-2010

1857

FW: NANCY MORROW 4J-606-0103-10

Bingham, Herman B - CHICAGO, IL

Sent: Thursday, September 16, 2010 6:58 AM

To: Prater, Wanda - Chicago, IL

Cc: Jolla, Gladys M - Chicago, IL

Wanda,

I am trying to get information on a Ft Dearborn employee.

Nancy Morrow was given a 7-Day Suspension from SCS Lisa Maya around 4/12. Ms. Morrow's EEO case was dismissed because the 7-Day Suspension was rescinded.

Ms. Morrow appealed the dismissal, claiming she served the suspension from 5/9 thru 5/15 and suffered financial harm. But we don't know if Ms. Morrow got back pay.

I know I haven't given Gladys much time to respond. I apologize for that. I'm being pressured and I really only need Yes or No answers:

1. Did Ms. Morrow serve the 7-Day Suspension from Ms. Maya?
2. Was Ms. Morrow subsequently paid/made whole?

Once I get this information, I'll know whether I need to contact Finance for proof of back pay. And I'll know who to send the affidavit to. See below. Tampa wants an affidavit for the appeal.

Thanks for all your help in this matter.

Herman Bingham | EEO Dispute Resolution Specialist
U. S. Postal Service | EEO Field Operations
433 W. Harrison Street | Chicago, IL 60699-9411

Office 312.983.8576 | Fax 312.983.8667

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From: Bingham, Herman B - CHICAGO, IL

Sent: Wednesday, September 15, 2010 1:13 PM

<https://uspswebmail1.usps.gov/owa/?ic=Item&id=RgAAAAA5x%2fBu0qu7...> 9/16/2010

19476

Original To: Supv m8.

2/2

AMERICAN POSTAL WORKERS UNION, AFL-CIO

Grievant/Article	Nature of Allegation
Marrow/APWU	7 DAY Suspension
4-20-2010	
Date of Request	
To: Ms. Lisa Mayn	Title: SUPV OF MAINT / C.S.
From: M.A. BLANTON	Title: APWU STEWARD
Subject: REQUEST FOR INFORMATION & DOCUMENTS RELATIVE TO PROCESSING A GRIEVANCE	

We request that the following documents and/ or witnesses be made available to us in order to properly identify whether or not a grievance does exist and, if so, their relevancy to the grievance:

1. Copy of overtime ^{form} authorizing overtime for
2. clocks in finance from 3-27-4-2-2010; copy of
3. verification (receipts etc.) of close out time for last
4. Customer/transaction; copy of the time frames
5. and/or limits for close out time for SSDA's

NOTE: Article 17, Section 3 requires the Employer to provide for review all documents, files, and other records necessary in processing a grievance. Article 31, Section 2 requires that the Employer make available for inspection by the Union all relevant information necessary for collective bargaining or the enforcement, administration or interpretation of this Agreement. Under 8a(5) of the National Labor Relations Act it is an Unfair Labor Practice for the Employer to fail to supply relevant information for the purpose of collective bargaining. Grievance processing is an extension of the collective bargaining process.

☒ REQUEST APPROVED

☐ REQUEST DENIED

4-20-10
(date)

[Signature]
(signature)

Step I meeting to be held by 4-29-2010

Complaints history reports for Gale Rockett, Angela Howard, Angela Gladney, Tawana Coleman, Mildred Samuels, and Latrice Hobson revealed no EEO activity. Felicia Harding filed formal complaint 4J-606-0111-02 on May 10, 2002 which was closed on November 17, 2003. [Exhibit 7]

Time and Attendance, Employee Everything Report, for Tawana Coleman February 28, 2010 – April 29, 2010, indicated Coleman had Unauthorized Overtime on March 11 1.96 hours, March 15 2.00 hours, March 19 2.00 hours, March 20 8.00 hours, March 23 1.90 hours, March 24 2.00 hours, March 25 1.14 hours, April 8 1.60 hours, April 14 0.31 hours, and April 22 1.79 hours. [Exhibit 8]

Time and Attendance, Employee Everything Report, for Angela Gladney February 28, 2010 – April 29, 2010, did not reflect any Unauthorized Overtime was accrued by Gladney. [Exhibit 9]

Time and Attendance, Employee Everything Report, for Felicia Harding February 28, 2010 – April 29, 2010, did not record any Unauthorized Overtime for Harding. [Exhibit 10]

Time and Attendance, Employee Everything Report, for Latrice Hobson February 28, 2010 – April 29, 2010, did not indicate any Unauthorized Overtime for Hobson. [Exhibit 11]

Time and Attendance, Employee Everything Report, for Angela Howard February 28, 2010 – April 29, 2010, indicated Howard had Unauthorized Overtime on March 1 0.49 hours, March 15 0.20 hours, March 16 0.36 hours, March 26 0.50 hours, March 30 0.12 hours, March 31 0.10 hours, April 1 0.12 hours, April 9 0.10 hours, April 20 0.14 hours, April 21 0.11 hours, April 27 0.60 hours, and April 29 0.55 hours. [Exhibit 12]

Time and Attendance, Employee Everything Report, for Gale Rockett February 28, 2010 – April 29, 2010, indicated Rockett had Unauthorized Overtime on February 27 0.22 hours, March 4 0.20 hours, March 9 0.14 hours, March 15 0.19 hours, March 16 0.36 hours, March 17 0.34 hours, March 18 0.14 hours, March 20 0.09 hours, March 24 0.32 hours, March 25 0.22 hours, March 31 0.20 hours, April 1 0.10 hours, April 10 0.10 hours, April 12 0.26 hours, April 14 0.30 hours, April 15 0.55 hours, April 26 0.20 hours, April 27 0.13 hours, and April 29 0.10 hours. [Exhibit 13]

Time and Attendance, Employee Everything Report, for Mildred Samuels February 28, 2010 – April 29, 2010, indicated Samuels had Unauthorized Overtime on March 5 2.00 hours, March 8 2.00 hours, March 9 2.00 hours, March 11 0.01 hours, March 12 amount not recorded, April 13 7.20 hours, March 18 2.00 hours, March 19 1.77 hours, March 22 2.00 hours, March 23 2.00 hours, March 24 2.00 hours, April 5 2.00 hours, April 8 2.00 hours, April 9 2.00 hours, April 13 2.00 hours, April 14 2.00 hours, April 16 amount not recorded, April 20 2.00 hours, April 21 2.00 hours, April 22 1.90 hours, April 23 1.95 hours, April 26 2.00 hours, and April 30 2.00 hours. [Exhibit 14]

COMPARATIVE DATA

The Complainant indicated Tawana Coleman (Sales Services Associate, under the age of 40, no known EEO activity) worked overtime every day for eight years. Complainant avowed Mildred Samuels (Window Clerk), Gale Rockett (Window Clerk), Angela (Angela Gladney and/or Angela Howard), and Coleman were never falsely accused as she was for unauthorized overtime. Complainant professed Rockett was never accused of failure to follow instruction and

due to harassment, non-sexual, denial of leave, and working conditions. It named "Gladys Golla" as a responsible management official. It was closed on October 31, 2007, when a Final Agency Decision, merit, was issued. [Exhibit 2]

7-Day Suspension dated April 12, 2010, issued to Complainant indicated it was for Failure to Follow Instructions and Use of Unauthorized Overtime. Specifically it stated Complainant closed her window at approximately 2:40 p.m. on March 31, 2010 and did not reopen her window to serve customers after being instructed. Under use of unauthorized overtime, it indicated Complainant had .21 units on March 29, 2010; .12 units on March 30, 2010, and .18 units on March 31, 2010 of unauthorized overtime. It continued that Complainant had not been requested to stay and work overtime and had closed her retail window in enough time to end her tour within her scheduled hours. It was issued by Lisa Maya and concurred by Antoine Echols. Complainant wrote that she signed it under protest and she had 450.00 of meter strip from void credit card transactions. [Exhibit 3]

Grievance settlement letter dated June 21, 2010, for Grievance J06C-4J-D 10191844 indicated the 7-day Suspension dated April 15, 2010, issued to Complainant was reduced to an Official Job Discussion. [Exhibit 4]

[INVESTIGATOR'S NOTE: The Grievance settlement letter indicated the 7-day Suspension was dated April 15, 2010. The 7-day Suspension was dated April 12, 2010. See Exhibits 3 and 4].

Receipts and voids dated March 31, 2010, provided by Complainant included a receipt entitled USPS POS One Fort Dearborn Unit Number 1615170101, clerk 24, with a date of March 31, 2010, and time of 3:03 p.m. This receipt was difficult to read from the 2:03 pm time period – 2:49 pm. Transactions logged after 2:30 p.m. included refunds, fees removed, and unused postage meter strips. A receipt dated March 31, 2010, with a time of 3:09 p.m. indicated it was for Unit Number 1615170101 which had no transactions recorded. Transactions with a start time of 8:02 a.m. did not list a time of the transaction. A receipt for clerk 24 at 2:49:28 pm on March 31, 2010, indicated it was a void for unused postage meter strips. [Attachment to Affidavit A, pages 18-25]

Time and Attendance, Employee Everything Report, for Complainant February 28, 2010 – April 29, 2010, indicated Complainant had Unauthorized Overtime on March 29, 2010, of 0.21 units; March 30, 2010, of 0.12 units; and March 31, 2010, of 0.18 units. Complainant was also recorded as accruing unauthorized overtime on March 1 0.11 hours, March 2 0.27 hours, April 8 0.10 hours, April 14 0.18 hours, April 15 0.61 hours and April 25 0.10 hours. [Exhibit 5]

Notification of Personnel Action, PS Form 50, for Comparators indicated the following employees were employed at the Chicago- Fort Dearborn Station in Chicago, IL:

<u>Name</u>	<u>Date of Form 50</u>	<u>Job Title</u>	<u>Date of Birth</u>
Gale Rockett	November 21, 2009	Sales Svcs Distribution Assoc	June 18, 1959
Angela Howard	March 27, 2010	Sales Svcs Distribution Assoc	October 17, 1965
Angela Gladney	February 13, 2010	Sales Svcs Distribution Assoc	July 23, 1968
Tawana Coleman	November 21, 2009	Distribution Window Clk	December 29, 1960
Mildred Samuels	November 21, 2009	Sales Svcs Distribution Assoc	March 17, 1954
Latrice Hobson	November 21, 2009	Distribution Window Clk	October 1, 1974
Felicia Harding	November 21, 2009	Distribution Window Clk	October 17, 1971

[Exhibit 6]

named comparator had worked unauthorized overtime during March-April 2010 but the complainant was the only person that was written up in the Finance Department. (IF, Aff. A, pp. 4-6).

Ms. Maya and Mr. Echols testified that during the past year none of the other clerks of whom they was aware had failed to follow instructions or used unauthorized overtime. (IF, Aff. B, pp. 4-5; Aff. C, pp. 5-6).

The record showed that Tawana Coleman was a Distribution Window Clerk with a date of birth of December 29, 1960. (IF, Exh. 6, p. 4). Ms. Maya testified that Ms. Coleman was on the overtime desired list and had worked overtime. (IF, Aff. B, p. 4). Time and Attendance, Employee Everything Report, for Ms. Coleman February 28, 2010-April 29, 2010, indicated she had Unauthorized Overtime on March 11, 1.96 hours, March 15, 2.00 hours, March 19, 2.00 hours, March 20, 8.00 hours, March 23, 1.90 hours, March 24, 2.00 hours, March 25, 1.14 hours, April 8, 1.60 hours, April 14, 0.31 hours, and April 22, 1.79 hours. (IF, Exh. 8, pp. 1-18).

As such, Ms. Coleman is not a valid comparator as she did not fail to follow instructions, and she was on the overtime desired list and had been authorized to work overtime.

The record showed that Angela Gladney was a Sales Svcs Distribution Assoc. with a date of birth of July 23, 1968; Felicia Harding was a Distribution Window Clerk with a date of birth of October 17, 1971; and Latrice Hobson was a Distribution Window Clerk with a date of birth of October 1, 1974. (IF, Exh. 6, pp. 3, 6, 7). Ms. Maya testified that Ms. Harding, who had not been at the facility for more than a year, and Ms. Hobson were part time regular employees. (IF, Aff. B, p. 4). Time and Attendance, Employee Everything Reports for Angela Gladney, Felicia Harding, and Latrice Hobson for the period February 28, 2010-April 29, 2010, did not reflect any Unauthorized Overtime. (IF, Exh 9, pp. 1-17; Exh. 10, pp. 1-17; Exh. 11, pp. 1-14).

As such, Ms. Gladney, Ms. Harding, and Ms. Hobson were not valid comparators because they did not fail to follow instructions, they did not work unauthorized overtime, and Ms. Harding, who had not been at the facility for more than a year, and Ms. Hobson were part time regular employees and the complainant was full time.

The record showed that Gale Rockett was a Sales Svcs Distribution Assoc. with a date of birth of June 18, 1959; Angela Howard was a Sales Svcs Distribution Assoc. with a date of birth of October 17, 1965; and Mildred Samuels was a Sales Svcs Distribution Assoc. with a date of birth of March 17, 1954. (IF, Exh. 6, pp. 1, 2, 5). Ms. Maya testified that Ms. Rockett was not on the overtime desired list and to her knowledge did not have unauthorized overtime. She further testified that Ms. Howard was not on the overtime desired list but did have overtime due to staffing needs in the evening when Ms. Howard worked and there had been times when no one was there to close out the finance unit so Ms. Howard had stayed to serve customers from 6:00 p.m. to 6:30 p.m.

239-718



NEW YEARS DAY FRIDAY, JANUARY 01, 2010

The following employee has volunteered to work his *designated holiday*, Wednesday, December 30, 2009:

V. Echols

The following employee has volunteered to work *overtime*, Wednesday, December 30, 2009:

D. Snyder

The following employees have been drafted to work their *designated holiday*, Wednesday, December 30, 2009:

R. Cottrell

M. Blanton

The following employees have been drafted to work overtime for Wednesday, December 30, 2009:

R. Frazier

B. Banks

The following employee has volunteered to work his *designated holiday*, Thursday, December 31, 2009:

J. Burrage

The following employee has volunteered to work overtime, Thursday, December 31, 2009:

A. Calyen

The following employee has been drafted to work their *designated holiday*, Thursday, December 31, 2009:

N. Morrow

Retail is closed Friday, January 1, 2010 We will reopen Saturday, January 2, 2010 at 7:30 am.

Alice Chatman Supervisor CS

75 978

MILDRED SAMUELS NEVER DRAFTED
FAWANA COLEMAN BOTH HAVE SIGNED
the overtime DESIGNED

Article 11.7

of employees needed for holiday work and a schedule shall be posted as of the Tuesday preceding the service week in which the holiday falls.

[See Memo, page 302]

B. As many full-time and part-time regular schedule employees as can be spared will be excused from duty on a holiday or day designated as their holiday. Such employees will not be required to work on a holiday or day designated as their holiday unless all casuals and part-time flexibles are utilized to the maximum extent possible even if the payment of overtime is required, and unless all full-time and part-time regulars with the needed skills who wish to work on the holiday have been afforded an opportunity to do so.

C. An employee scheduled to work on a holiday who does not work shall not receive holiday pay, unless such absence is based on an extreme emergency situation and is excused by the Employer.

D. Transitional Employee

WE HAVE NO TRANSITIONAL EMO

→ Transitional employees will be scheduled for work on a holiday or designated holiday after all full-time volunteers are scheduled to work on their holiday or designated holiday. They will be scheduled, to the extent possible, prior to any full-time volunteers for nonvolunteers being scheduled to work a nonscheduled day or any full-time nonvolunteers being required to work their holiday or designated holiday. If the parties have locally negotiated a pecking order that would schedule full-time volunteers on a nonscheduled day, the Local Memorandum of Understanding will apply.

Section 7. Holiday Part-Time Employee

A part-time flexible schedule employee shall not receive holiday pay as such. The employee shall be compensated for

26.09.78

May 13, 2010 - I was issued a 7-day suspension for attendance after I received a 7-day suspension by Lisa Maya. She refused to HAVE A STEP 1 WITH THE UNION TO DELAY ACTION OF A 7 DAY SUSPENSION

Harassment Write up

March 31, 2010 - I was falsely accused by the supervisor, Mrs. Lisa Maya of not following instructions, and she alleged that I did not serve customers at 2:30 pm but yet I begin my close out. She issued me a 7-day suspension and tried to alter the system of my daily transactions.

Incident Report

January 3, 2010 A man came in and got loud with me complaining about his box being locked and threw his credit cards at me. People were posing as mystery shoppers that were hired as private agents by the postal service to provoke me.

Unusual Occurrences

December 31, 2009

Retaliation harassment and discrimination because of violation of drafting me to come to work without canvassing or drafting junior clerks as required. never drafted volunteers from the overtime desired list first.

December 3, 2009 - Another unusual occurrence at the Fort Dearborn office of tampering with keys, and a request was put in for the safe combination to be changed.

Harassment Write up

November 3, 2009 - I was charged with unacceptable conduct because I called the police October 21, 2009, after a registered piece of mail was taken out of my safe.

EEO Claims

November 3, 2009 - Claim No. 441-606-0143-02 - SFC Gloria Johnson

October 20, 2009 - Registered piece of mail was taken after looking it in my safe. I suspected they had keys made from the serial number outside of the envelope.

October 10, 2009 - 8103B forms for suspicious transactions reports were taken. It was reported to my supervisor and also to the inspectors the same day and again no response from the inspectors service.

I have filed over 20 8103B "Suspicious Transactions Reports" on customers since June of 2008, who bought fraudulent activity to me. I felt they were hired by the postal service as agents to target me for harassment and ordered to test me to see if I would follow the necessary steps as required and also try to provoke me. Some of these people were posing as mystery shoppers that were hired as private agents by the postal service.

Harassment Write up

October 13, 2009 - I was written up by Mrs. Wilson, by request of the manager of the station, Mrs. Gladys Jollas leave in advances expunged from all records by the union.

EEO Claims

September 3, 2009 - Claim No. 441-606-0143-02 - Retaliation harassment filed on Mrs. Alice Chatman for only drafting me instead of following the drafting guidelines under the union bargaining agreement. Harassment charges were filed for disparate treatment 10 discrimination of junior clerks were under the age of 40 and gender

279-78

August 4, 2009 Claim No. #41-606-0143-09 - Mr. Harris blocked the entrance of the distribution unit and refused to move and instead insisted very emphatically and loudly that I walk around outside of the adjacent cases to get to the 60611 distribution, and later that day threatened to write me up.

EEO Claims

August 3, 2009 - Claim No. #41-606-0143-09 - I was threatened and harassed by Mrs. Gladys Jolla because of a one-hour leave I took which had already been approved by supervisor Mrs. Alice Chatman.

Unusual Occurrences

June 25, 2009 - An unauthorized change of my address was put in without my consent. My mail was being forwarded to the Logan Square Post Office being returned to sender as "attempted unknown".

Incident Reports

June 22, 2009 - A lady came in and complained after I explained to her about how to label her box properly and personally requested to talk to manager, Mrs. Gladys Jolla. This is the first time Mrs. Gloria Jolla responded to a customer's request.

Unusual Occurrences

June 18, 2009 - I filed theft charges with the Chicago Police for four sets of missing keys in night's safe. This incident occurred at the Ft. Dearborn.

April 23, 2009 - I had a prior encounter with Mr. Harris that was filed April, 2009. The incident report was filed and given to my supervisor. The incident that occurred was about a male customer who wanted to cash a \$100.00 money order 9:00 in the morning. I had not generated enough cash to cash his money order. It took a former supervisor of finance, Lisa Meyers, to verify my cash retain amount but yet he had threatened to write me up.

Incident Reports

March 22, 2009 - A lady came in with a letter that was 3/4 inches thick and when I told her that she had to pay for a parcel price, she became loud and belligerent. I explained to her that because of the thickness that it was no longer a letter once it was over 1/4 thick, and that it was no longer .44 cent once it exceeded over an ounce. The situation got out of control and I summoned for a supervisor and an off duty police officer happened to be in the lobby and overheard the lady performing. Therefore, the officer asked the lady was she having a problem and he told her "Ms. You do not run the post office, and these clerks do, and if she asked you to step to the side while she summons for a supervisor then you do so". The officer handled the case very professionally and told me if I have any more problems like this again, feel free to call them for assistance. The supervisor never came, however, there was a call from the hotline and the person who answered the phone asked who called the police? This led me to believe that this was a plotted and planned situation.

INCIDENT REPORTS

I have filed over 20 8105B "Suspicious Transactions Reports" on customers since June of 2008, who bought fraudulent activity to me. I felt they were hired by the postal service as agents to target me for harassment and ordered to test me to see if I would follow the necessary steps as required and also try to provoke me. Some of these people were posing as mystery shoppers that were hired as private agents by the postal service. On October 20, 2009, I discovered that my 8105B forms were taken during the time my keys were missing from management's safe.

Incident Report

March 22, 2009 A lady came in with a letter that was 3/4 inches thick and when I told her that she had to pay for a parcel price, she became loud and belligerent. I explained to her that because of the thickness that it was no longer a letter once it was over 1/4 thick, and that it was no longer .44 cent once it exceeded over an ounce. The situation got out of control and I summoned for a supervisor and an off duty police officer happened to be in the lobby and overheard the lady performing. Therefore, the officer asked the lady was she having a problem and he told her "Ms. You do not run the post office, and these clerks do, and if she asked you to step to the side while she summons for a supervisor then you do so". The officer handled the case very professionally and told me if I have any more problems like this again, feel free to call them for assistance. The supervisor never came, however, there was a call from the hotline and the person who answered the phone asked who called the police? This led me to believe that this was a plotted and planned situation.

April 23, 2009 I had a prior encounter with Mr. Harris that was filed April, 2009. The incident report was filed and given to my supervisor. The incident that occurred was about a male customer who wanted to cash a \$100.00 money order 9:00 in the morning. I had not generated enough cash to cash his money order. It took a former supervisor of finance, Lisa Meyers, to verify my cash retain amount but yet he had threatened to write me up.

June 22, 2009 - A lady came in with a box and I asked her the general questions, anything liquid, fragile, perishable or potential hazardous, she said no, and then I asked her did she need any insurance or delivery

29 470

confirmation for her box. I put her box on the scale to determine if she wanted express or priority for the time and the price. I then told her that her return label was in the wrong place and that it should be in the upper left-hand corner of the box and not side by side because if the machine reads her box it may be returned back to her because it would read the number and wouldn't be able to know if its "to" or "from". So I suggested to her that we have priority labels for free, and she could fill it out "to and "from", and place it in the middle of her box, and she cover the right-side label with priority stickers.

She then took the box and filled out the label and placed it between her two labels directly in the middle of her box, and she then began pulling the priority stickers off that I had put on the right side label and told me that the priority label I had given her didn't have clear tape, so I handed her some clear scotch tape. She then asked to speak to the manager so I paged Mrs. Gladys Jolia, and within five minutes, Mrs. Gladys Jolia came down. I found this to be unbelievable because Mrs. Gladys Jolia never, ever comes downstairs for a customer, but this particular day and time, she did. Other clerks observed the package, which displayed three different labels in the middle front up the package.

January 8, 2010 A man came in and got loud with me complaining about his box being locked and he was sick and tired of having this problem. I told him the system would not allow him to make a payment because the box was closed, and that he needed two pieces of I.D. He said he paid so I told him that I would summons a supervisor for him. She went into his box and saw that he had not been in the box for two months and had a notice issued to him December 1, 2009. The supervisor informed him that his box was still available, so in order to maintain it, he would have to pay for a lock change, two keys, plus the rent on the box that was past due.

When he came to my counter I told him I needed verification with two pieces of I.D. such as a driver's license. He got angry and showed me his driver's license and I asked for a second form of I.D. such as a lease, car or mortgage insurance policy. He started tossing his credit card at me and I told him if another one of his credit cards hit me, I would call the police. Two male supervisors were called downstairs for assistance.

30 W 7

July 1, 2009 - G. Marie Lerner, 676 N. Michigan Ave, Chicago, Ill 60611, a black female, 5'3, with black hair came in with a \$500.00 money order issued to her as payment to be deposited in her account, which was a fake.

September, 2009 - Anna Barrientos, 300 N. State Street, Chicago, Ill 60610, 5'4, brn eyes, blk hair. Lady came in to cash a fake money order for \$810.63.

November 4, 2009 - Ebony Whitaker, 837 Peaksland, Ga. 30013, a black female, with long length dread locks, came in with a money order dated March 20, 2009, with light printed ink, but I could not find it in the data base. Supervisor informed her that we could not verify it so it could not be cashed.

October 5, 2008 - Lynette Georgevich, 230 N. Dearborn St., #1200, Chicago, Ill 60604. I filed a police report because Lynette Georgevich became angry and argumentative when I questioned her about her return address not being put on the military package, and she refused to put her return address on the package. I told her I could not accept her package unless it had a return address on it. So she put an address on it and I told her that I would need to see her identification for verification and she became angry and threw the box at me. I stepped back and called the police. She was contacted by the Detectives and sent a letter of apology to me.

318-76

There are casual links of incident reports, unusual occurrences, with numerous EEO claims being filed, and over five write-ups which led to an unlawful suspension because of a civil action lawsuit that was filed with the United States District Court - Northern District of Illinois on September 3, 2008 - Case No. 08-cv-5087 against the United States Postal Service re: Case No. 4J-606-0123-06 for harassment, retaliation, discriminatory actions based on age, gender and violation of FMLA.

EEO claims was filed on Gladys Jolla, Alice Chatman, Mr. Harris and Gloria Johnson. Write-ups was done by Mrs. Wilson, Mrs. Johnson, Lisa Maya and Chatman, unusual occurrences by the station manager, Gladys Jolla and the inspector service, and mystery shoppers for incident reports.

October 3, 2008 - Lynette Georgevich, 230 N. Dearborn St., #1200, Chicago, Ill 60604 got angry with me about her wrong zip code and threw a box at me. She was contacted by the Detectives and sent a letter of apology to me.

November 20, 2008:

Tampering with my mail and zip code being changed to 60699 Inspector's office and being "return back to sender". My mail was tampered with. The U.S. Employees Credit Union, 610 S. Canal, Chicago, 60607, handles my savings and checking account, plus I have a car loan with them.

June 18, 2009:

I filed theft charges with the Chicago Police for four sets of missing keys in management's safe.

The (4) keys to my cash drawer strangely came up missing out of the safe. I reported this to the Inspector Services and a police report was filed. My

August 23, 2009:

An unauthorized change of address was put in without my consent around the end of June and the beginning of July

I filed a civil action lawsuit against the post office September 5, 2008 and I became aware after I was contacted by my an agent of a cancellation of my homeowner's insurance, credit card payments became delinquent, and late

October 20, 2009:

Registered piece of mail was taken after securing it and locking it in my safe. I suspected they had keys made from the serial number outside of the envelope.

October 20, 2009:

3105B forms for suspicious transactions reports were taken

38 678

Failure to Stop Harassment

I have been continuously Harassed and Violated while under EEO protected activity, which is a Violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C s2000e3. The Postal Service has failed to stop the Harassment after Filing a Civil Action lawsuit Sept. 05, 2008 due to their Discrimination and Harassment.

After filing charges against the Postal Service, their actions progressed from October 2008 until May 18, 2010 of this year, which is a casual link of continuous action of filing charges with the EEO. The claims charges with Violation, Harassments, Unlawful Activities, and Write Up's that has been listed along with the dates, and time of action that was taken against me. They used methods of Write Up's that was encouraged by the manager of the station, Mrs. Gladys Jolia, as a one of their tactics to try to terminate my employment with the Postal Service. All the Write Up's were rescinded, because there was no justified cause for their action, which had deficiencies.

On November 20, 2008, I received a call from the U.S. Credit Union Of a concerned individual who decided to give me a call, because of a large amount of mail that was being returned to them as return to sender. They had resolved the problem and advised me that the zip code on my mail had been changed to 60699. The Inspector office, which is across the street from the U.S. Credit Union located at 610 S. Canal, they also handled my saving, and Checking Account, and my Car Loan. This particular time, my car loan payment was placed into my Saving Account, causing my car loan payment to become Delinquent and therefore jeopardizing my vehicle of being repossessed. On June 18, 2008 I had to file charges with the Chicago Police Dept. after four set of keys that was in stamped, sealed, and signed envelopes which was taken out of management safe at Fort. Dearborn Station while under the Station Manager Mrs. Gladys' Jolia. Their act of attacks went from the job to my personal life, and therefore became criminal in order to try to wear me down, destroy, and devastated my livelihood and therefore crippling me financially, by putting in an unlawful change of address and forwarding my mail to another Post Office. It was the Logan Square Post Office and it was stamped Attempt Unknown & Returned back to the Sender. Their action has caused me Financial Hardship, because I almost had a Cancelation of my Home Owner Insurance, in which I was notified by my Insurance Company by phone. Their action had caused a Domino Effect on my Life and my Credit Cards had become Delinquent, and as a result my Credit Rating went from A-B rating to a D rating from June to September 2009. The change of address that was put in had to have taken place at the end of June of 2009. I tried to seek help from a Financial Credit Corp. on Sept 9, 2009 and their attempt was unsuccessful, which led to a Garnishment on my check. The

73 6-7-09

Postal Service has used these types of measures with other employees who they attacked or terminated in the past and could be witness to this type of activity. In order to correct, and resolved this problem I had to put a cancelation in on my change of address and resume normal delivery. Finally when I caught up with my mail carrier and questioned him about the change that was put in he replied, "WHAT SUPERVISOR HAS IT IN FOR YOU."

Most employees have left the Post Service, because they were forced out due to undue Harassment, or have been Terminated Unlawfully. Some employee's have developed Health Problems, because of the stress they had to endure caused them to have Heart Attacks, Strokes, or just dropped dead. It was through the grace of God and my strong Faith, I was able to remain working, and I am still standing with the enormous stress, and opposition I had to face each day, week, month, and year. And yet, we always questioned the facts of incidents that occurred inside of the Postal Service of violent behavior in other States. We never really knew what really happened, or what type of Harassment that they had to endure. This is the reason why I brought my case to the FEDERAL COURT, so that Justice could be served for those who are not here today to tell the story. I am coming before the Courts, so that the truth could be revealed of what goes on behind the scene of things, which I have experienced in the last five years of the Twenty Two years of service at Fort Dearborn Station.

I have suffer a Direct, and Personal Deprivation at the hands of the Postal Service, and I am a person aggrieved, who has suffered a personal loss of Wages, Term, Condition, and Privileges of Employment by Unlawful Conduct that has caused me Injury, which was due to their Adverse Employment, Unlawful Activities that was taken against me. You can refer to the dates of listed incidents which is a casual links of continuous activity.

34 of 78

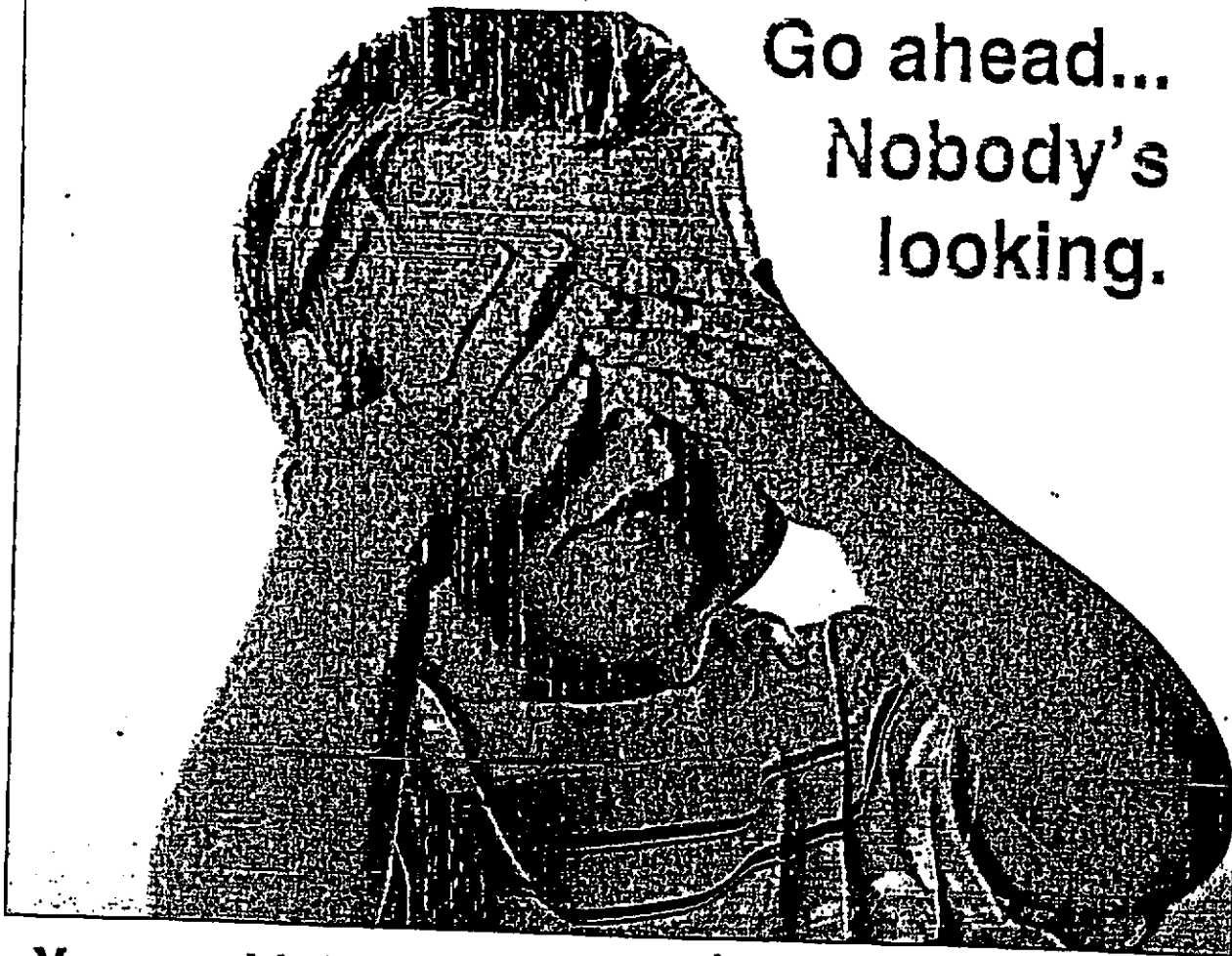
YOU CAN REFER TO THE DATES

casual links of incidents

Exhibit 1

UNLAWFUL AND IRREGULAR ACTIVITY.

**Go ahead...
Nobody's
looking.**



You wouldn't take this kid's money, would you?

Or his birthday gift from his grandmother?

So why would you take a dime of the Postal Service's money?

Money in the cash drawer and items in the mail are not yours.
Don't take them. You can't "borrow" them either.



***Do the right thing . . . even if nobody is looking.
Integrity begins with you.***

REFER to Letter
FOR DETAILS 3 PAGES



A Clerk Able to SELL my money
ORDER under my Number. Causing me
Data: Dec 9, 2010 a shortage - only can be done
Internally
Thursday

REPORT OF UNUSUAL OCCURRENCE

FINANCE UNIT Fraud

NATURE OF THE OCCURRENCE

Money orders were altered
by internal and allowing another Clerk to sell my
money order and the clerk was used to monitor
LOCATION: FORT DEARBORN STATION 540 NORTH DEARBORN ST. CHGO. IL 60610-9998
and set up a clerk
REPORTED BY: Nancy Morrow

PROPERTY AND/OR MONEY(S) INVOLVED:

Money order (with
my Number was fraudulent altered by internal
clerk and allowing the clerk to sell my money
PROPERTY: 1ST, 2ND, And 3RD, CLASS MAIL: Order for \$170.00 dollar
and leave my cash drawer with a shortage
of 170.00 and she with a average of 170.00
(MAIL, EQUIPMENT, BUILDING, CUSTOMERS, ETC.)
and she ran a report upon my report and it showed
INDIVIDUAL(S) INVOLVED: up AS she said none but yet she sold one of my
NAME: Fort Dearborn ADDRESS: 540 N. Dearborn Chicago
NAME: Gail Rockett ADDRESS: 540 N. Dearborn Finance Dept

ACTION TAKEN BY:

SUPERVISOR:

MRS. Wilson Assisted us in making the system
Finance Supervisor

(OTHER PERTINENT DETAILS)

I informed the Inspector of the problem
worked and had all responses 12-14-2010 Presd.
of the problem with the money order
this occurred 12-09-2010 at 1:35 AM in
it was scheduled to go to lunch
I had an audit done 12-14-2010 and it showed up
AS an lost or stolen money order on my report
Nancy Morrow

SIGNATURE

Cc: Lead Executive, District Manager/Postmaster
Manager, Post Office Operations
Manager, Customer Service

Dec 9, 2010

Gail Rocket always relieves me for break, and lunch as scheduled and have been from Sept. until Dec 14, 20210 and just recent I had another person to alternate. My break time is at 10:00 and 11:30 for lunch everyday. On Dec 9, 2010 later around 12:30 I took lunch later after being delayed by a customer and Mrs. Rocket was awaiting to replaced me. Therefore Gail receive a customer who wanted to purchase a money order and she came to me and told me that her money order did not work and if by chance I may have picked hers' up by mistake so I handed her the ones I had and told her to check because I was in a rush to lunch she returned back and informed that they did work and handed me back 2 money order that was rubber band and attached to the back of the pack of money orders I had handed her. So when I returned from lunch I had a customer who also wanted a money order and the money I received from Gail Rocket came up as not part of my inventory I was only able to complete the customers transaction with one of the two money order she handed me back that contained a international money a domestic out of sequence with the number #169857159 which enable me to complete the customers \$300.00 transaction using his debit card.. I left the POS machine to informed Gail that there was a problem with the money order that she had given me because they had came up as not being part of my inventory and as soon as she returned from lunch we need to straightened this situation out. I was requested that we pull our prior receipts which justified the fact that she had my pack of money orders which began with #184 and hers began with #181 and the money she obtained also had my name written on the outside of the package. But, yet the system allowed her to sale one of my money order for \$170.00 using my K number which is impossible to do unless it was done internally. I asked her to pull her reports of the amount of money orders she had sold for the day and it displayed that she had not sold none, but yet she had sold mines' causing her to have an overage of \$170.00 and me to have a shortage of \$170.00 and there was no other transaction of adjustments of 40 min of her being on the machine. Therefore the finance Supervisor Mrs. Wilson had assisted in the adjustment made. I personally feel that the cameras that are set up and used to monitor clerks are also used to exploit, and set up clerks by management. In which I have observed to be a (proven fact).

36 4 10



CUSTOMER'S RECEIPT

SEE BACK OF THIS RECEIPT FOR IMPORTANT CLAIM INFORMATION

NOT NEGOTIABLE

Pay to: _____

Address: _____

KEEP THIS RECEIPT FOR YOUR RECORDS

Year, Month, Day: 2010-12-09

Post Office: 606101

Amount: \$0.01

Check: 0024



Serial Number: 18402546240

Pay to: _____

Address: _____

Amount: \$0.01

Check: 0024

Year, Month, Day: 2010-12-09

Post Office: 606101

Amount: \$0.01

Check: 0024



Serial Number: 18402546240

Pay to: _____

Address: _____

Amount: \$0.01

Check: 0024

Year, Month, Day: 2010-12-09

Post Office: 606101

Amount: \$0.01

Check: 0024



Serial Number: 18402546240

Pay to: _____

Address: _____

Amount: \$0.01

Check: 0024

Year, Month, Day: 2010-12-09

Post Office: 606101

Amount: \$0.01

Check: 0024



Serial Number: 18402546240

Pay to: _____

Address: _____

Amount: \$0.01

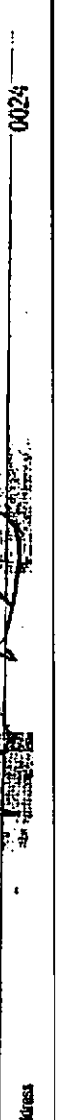
Check: 0024

Year, Month, Day: 2010-12-09

Post Office: 606101

Amount: \$0.01

Check: 0024



840 2546 251

170.00 Dec 9, 2010

money order sold

By grocer clerk

where my k number

This was done

Internally by the

Postal Service

378-78



POS ONE REPORT

1615170101

FORT DEARBORN ZIP Code: 60610

12/14/2010 3:52 PM

CASH / STAMP CREDIT COUNT REPORT

Version 5.0

Inventory: Retail Floor Clerk (Cash & MO) - NANCY MORROW

Count Date: 12/14/2010 3:47 PM

Status: Completed

Counter 1: NANCY MORROW

Counter 2: BEVERLY WILSON

Clerk ID: 24

Employee ID:

Reference Number:

COUNT SUMMARY

	Actual Count	System Count	Difference
Inventory:	\$0.00	\$0.00	\$0.00
Cash:	\$102.36	\$100.70	\$1.66
Cash Equivalent:	\$0.00	\$0.00	\$0.00
Combined:	\$102.36	\$100.70	\$1.66
Money Orders:	60	61	-1

*Lost missing***POSTING SUMMARY**

Final Count: No Max 853 since Last Count: N/A

Result: Cash / Stamp Over (In Tolerance)

Tolerance Limit: \$5.00

Counter 1: NANCY MORROW

I certify the count to be correct:

NANCY MORROW-KZ6Q7W

Signature

Comments:

Counter 2: BEVERLY WILSON

I have examined this Cash/Stamp Credit:
BEVERLY WILSON-KZ16N6

Signature

Comments:

38970

**POS ONE REPORT**

1615170101

FORT DEARBORN ZIP Code: 60610

12/14/2010 3:52 PM

CASH / STAMP CREDIT COUNT REPORT

Version 5.0

Inventory: Retail Floor Clerk (Cash & MO) - NANCY MORROW
Count Date: 12/14/2010 3:47 PM **Status:** Completed
Counter 1: NANCY MORROW
Counter 2: BEVERLY WILSON
Clerk ID: 24 **Employee ID:**
Reference Number:

Item Number	Description	System Quantity	Physical Count
328700	POS ONE MP1 Money Order	1	0
328800	POS ONE Domestic Money Order	60	60

Lock/Key Examination Dates:

Completion Date: not entered
Next Due Date: not entered

PS Form 3977(s) Examination Dates:

Completion Date: 04/26/2010
Next Due Date: 10/23/2010

Bait Money Orders:**Quantity:** 0**PS Form 571 required?** No**In good condition?****Applies to Retail Floor Stock Only:****Qualified sales since last count:** not applicable**Threshold amount:** not applicable**Threshold exceeded?** not applicable**Must Unit Reserve be counted concurrently?** not applicable

39978

FORT DEARBORN STATION

FINANCE UNIT

WEDNESDAY

**SALES AND SERVICES ASSOCIATES
BEGIN TOURS, LUNCHES, BREAKS, AND END TOUR**

BT	EMPLOYEES NAMES	WEDNESDAY/12/22/2010							ASSIGNMENT
		Breaks	TRG	OL	IL	Relief	Break	ET	
8:00	T. COLEMAN	7:00		11:00	11:30		TILMO	3:30	Store
8:00	HAYWOOD, MARY		LOBB	DIREC	TOR				
8:00	MORROW, N.	10:00		11:30	12:00	ROCK		3:30	Win#2
8:15	TILMON, A	11:30		12:30	1:30			5:30	WIN # 4
8:00	PERRY, BETTY	10:45		1:00	1:30	BELL		4:30	WIN # 3
8:00	ROCKETT, G.	10:00		12:00	12:30			3:30	LOCK-BOX
9:30	HOWARD, A.	10:30		1:30	2:15	BELL		6:15	Win #1
RELIE	EMPLOYEES- WINDOW								
8:00	MUHAMMAD, SALIMAH	10:00		12:00	1:00				
10:00	BELL, SHARON	12:00		2:00	2:30		BACK-	UP	
8:00	TILMON, AL	11:30		12:30	1:30				STORE
									RELIEF
	HOBSON, LATRISE			12:00	13:00				WIN # 1/3
RELIE	EMPLOYEES FOR LOBBY								
	P. GAYLES	8:30		12:00	1:00				
	C. SUDDUTH /RELIEF	10:45		1:00	1:30				
	ATTENTION ALL EMPLOYEES	DO N	LEAVE	YOUR	ASSIG	-UNTI	SOME	HAS	
	REPLACED OR RELIEVED	YOU	FOR	YOUR	LUNC	AND	BREA		
	PER MANAGEMENT DECISIO								
NS-	BANKS, BETTY								
NS	FRAZIER, RHONDA								
NS	BUTLER, LESLIE								

FORT DEARBORN STATION

FINANCE UNIT

THURSDAY

**SALES AND SERVICES ASSOCIATES
BEGIN TOURS, LUNCHES, BREAKS, AND END TOUR**

BT	EMPLOYEES NAMES	THURSDAY/12/23/2010							ASSIGNMENT
		Breaks	TRG	OL	IL	Relief	Break	ET	
6:00	T. COLEMAN	7:00		11:00	11:30		TILMO	3:30	Store
8:00	HAYWOOD, MARY		LOBB	DIREC	TOR				
8:00	MORROW, N.	10:00		11:30	12:00	ROCK		3:30	Win#2
8:15	TILMON, A	11:30		12:30	1:30			5:30	WIN # 4
8:00	PERRY, BETTY	10:45		1:00	1:30	BELL		4:30	WIN # 3
8:00	ROCKETT, G.	10:00		12:00	12:30			3:30	LOCK-BOX
9:30	HOWARD, A.	10:30		1:30	2:15	BELL		6:15	Win #1
RELIE	EMPLOYEES- WINDOW								
8:00	MUHAMMAD, SALIMAH	10:00		12:00	1:00				
10:00	BELL, SHARON	12:00		2:00	2:30		BACK- UP		
8:00	TILMON, AL	11:30		12:30	1:30				STORE
									RELIEF
	HOBSON, LATRISE			12:00	13:00				WIN # 1/3
RELIE	EMPLOYEES FOR LOBBY								
	P. GAYLES	8:30		12:00	1:00				
NS	C. SUDDUTH /RELIEF	10:45		1:00	1:30				
	ATTENTION ALL EMPLOYEES	DO N	LEAVE	YOUR	ASSIG	-UNTI	SOME	HAS	
	REPLACED OR RELIEVED	YOU	FOR	YOUR	LUNC	AND	BREA		
	PER MANAGEMENT DECISIO								
NS-	SUDDUTH, CASSANDRA								

**POS ONE REPORT**

1615170101

FORT DEARBORN ZIP Code: 60610

01/19/2011 11:17 AM

CASH / STAMP CREDIT COUNT REPORT

Version 5.0

Inventory: Retail Floor Clerk (Cash & MO) - NANCY MORROW
Count Date: 01/18/2011 3:56 PM **Status:** Completed
Counter 1: NANCY MORROW
Counter 2: BEVERLY WILSON
Clerk ID: 24 **Employee ID:**
Reference Number:

Item Number	Description	System Quantity	Physical Count
328800	POS ONE Domestic Money Order	80	80

Lock/Key Examination Dates: **PS Form 3977(s) Examination Dates:**
Completion Date: not entered **Completion Date:** 04/26/2010
Next Due Date: not entered **Next Due Date:** 10/23/2010

Balt Money Orders: **PS Form 571 required?** No
Quantity: 0
In good condition?

Applies to Retail Floor Stock Only:

Qualified sales since last count: not applicable
Threshold amount: not applicable
Threshold exceeded? not applicable
Must Unit Reserve be counted concurrently? not applicable

42978

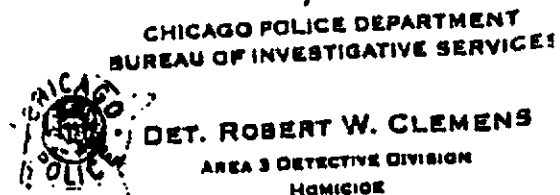
(4)

October 5, 2008 - Lynette Georgevich, 230 N. Dearborn St., #1200, Chicago, Ill 60604. I filed a police report because Lynette Georgevich became angry and argumentative when I questioned her about her return address not being put on the military package, and she refused to put her return address on the package. I told her I could not accept her package unless it had a return address on it. So she put an address on it and I told her that I would need to see her identification for verification and she became angry and threw the box at me. I stepped back and called the police. She was contacted by the Detectives and sent a letter of apology to me.

438-10

October 31, 2008

Ms. Nancy Morrow
c/o
Ms. Lynette Georgevich
230 S. Dearborn Street
Suite 1200
Chicago, IL 60604



OFFICE: 312-744-9211
FAX: 312-744-9111
2452 W. BELMONT
CHICAGO, ILLINOIS 60618
PAGES: 312-744-6000
robert.clemens@chicagopolice.org

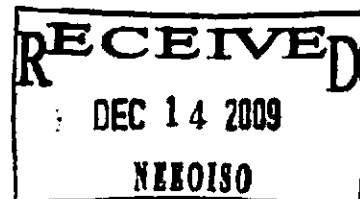
Dear Ms. Morrow:

I am writing to apologize for any misunderstanding or mistreatment you felt you suffered from my visit to the post office at 540 N. Dearborn Street in early October of this year. I was late for church when I stopped at the post office and was caught off-guard by the changes to overseas mail policies you explained. It was not my intention to upset you in any way and I am sorry for any stress I may have caused you.

Sincerely,

Claire Taylor
Claire Taylor

440-70



6

November 20, 2008:

**Tampering with my mail and zip code being changed to 60699
Inspector's office and being "return back to sender".**
My mail was tampered with. The U.S. Employees Credit Union, 610 S.
Canal, Chicago, 60607, handles my savings and checking account, plus I
have a car loan with them. However, I got a call from them notifying me
that a great amount of mail they were sending me was being returned back
to them as "return to sender". After investigation, it was found that my zip
code had been changed from "60643" to "60699". This involved my car
note payments and made them delinquent and almost caused my car to get
repossessed. I had to fax proof to the credit union that I had never put in for
a "change of address". I notified the Inspector and no response.

45-70



Date: 11-20-2008

REPORT OF UNUSUAL OCCURRENCE
FINANCE UNIT

(First time)

NATURE OF THE OCCURRENCE: Postal Service Harassment Due to Litigation, Law Suit, Campervin with my mail
LOCATION: CARDISS COLLIN 433 W. HARRISON APT 206
FORT DEARBORN STATION 640 NORTH DEARBORN ST. CHGO. IL 60610-9998
REPORTED BY: US Employees Credit Union, 610 So. Canal St. Chgo IL 60607
PROPERTY AND/OR MONEY(S) INVOLVED: Car Loan payment
PROPERTY: 1ST, 2ND, And 3RD, CLASS MAIL:

(MAIL, EQUIPMENT, BUILDING, CUSTOMERS, ETC.)

INDIVIDUAL(S) INVOLVED:

NAME: Cardiss Collin Post office ADDRESS: 433 W. Harrison

NAME: _____ ADDRESS: _____

ACTION TAKEN BY: HAB TO FAX PROOF OF ADDRESS Never put in change
SUPERVISOR: _____

(OTHER PERTINENT DETAILS)

[Nothing Done] It was report to the Inspector.
MY MAILS are being forwarded across the street to the post office 60699 to try to intercept my mail on my car payment and to get a phone call from the US Employees credit union asking why I moved because they say my mail was being return to them and one of my payment was put in my saving account.
The zip code on my mail was changed.
Cc: Lead Executive, District Manager/ Postmaster
Manager, Post Office Operations
Manager, Customer Service

SIGNATURE

I HAD TO FAX Her a letter that my address has never change

464

~~4~~ To whom it concerns

TBL: 905-9416

My ADDRESS HAS NOT
CHANGE in the Last

20 YRS 11530 So LAFLIN

NH30 FL. 60643 I AM a postal worker

AND SOMEONE OR AGENT

INSIDE JOB HAS ALT MY ~~60609~~ 60609

ZIP CODE WHICH IS THE

ZIP CODE ACROSS the Street

the Post Office Because I
HAVE FILED A CASE against the
POSTAL SERVICE of wrongdoing
+ VIOLATION at the Federal Building
Duckson Building No 244 North Main Street

BECAUSE Feb 27, 2009 there
was suppose to be a Settlement
Conference with the ^(instruct) Judge
and it was cancel AFTER my
Attorneys set the DATE. ~~BE~~
they will HAVE to reschedule it
or go before the Judge with ORIGINAL
SIGNED it FOR ^{Settlement} (CONFERENCE)
APRIL 16, 2009.

~~THIS~~ MAY BE HARD FOR YOU TO
BELIEVE

DS

PLEASE SEND ME COPIES OF
MAIL AGAIN. THAT WAS RETURNED
TO YOU. THAT YOU SENT ME.
ASAP

MY ADDRESS HAS NOT
CHANGE
MR 71060642

~~11-21-2005~~ 11-2005

MADE OUT WAS WHEN MY MAIL
WAS BEING MIS DIRECTED THAT
WAS SENT TO ME FROM THE U.S.
EMPLOYEES CREDIT UNION AND MY
MAIL WAS BEING RETURNED BACK TO THEM
WITH THE WRONG (BAR CODE) ZIP CODE
ON MY MAIL THAT WAS CHANGED FROM
60643 TO 60699. THE CREDIT UNION
HANDLES MY BANKING SAVING AND CHECKS
PLUS I HAVE A CAR LOAN WITH THEM.
SOMEHOW ONE DAY MY CAR LOAN
PAYMENT WENT TO MY SAVING ACCOUNT
AND NOT MY CAR LOAN AND IT BECAME
DELINQUENT WHICH COULD HAVE LEAD TO
MY CAR BEING REPOSSESSION BUT I
RECEIVED A CALL FROM SOMEONE AT 444-
THE CREDIT UNION WHO DECIDED TO CALL
ME BECAUSE OF SO MUCH MAIL BEING
RETURNED TO THEM. I INFORMED HER THAT
THAT MY ADDRESS HAD NEVER CHANGED.

11/11/00. I reviewed the system
She acknowledged that my ^{the} bar code-
zip code was changed on the system
and informed that the I should to
fax her a letter that my address
had never changed.

50770

6
June 18, 2009:

I filed theft charges with the Chicago Police for four sets of missing keys in management's safe.

The (4) keys to my cash drawer strangely came up missing out of the safe. I reported this to the Inspector Services and a police report was filed. My keys were always protected in a secure manner, as they were sealed in an envelope that was signed and dated, and management was the only other source that had access to them. Also, I had noticed that many times my cash drawer was over the amount but under the amount the next day. This incident occurred at the Fort Dearborn Station.

519 78



Date: JUNE 18, 2009

REPORT OF UNUSUAL OCCURRENCE
FINANCE UNIT

NATURE OF THE OCCURRENCE: KEYS TO my ALL MISSING (Drawers)

LOCATION: FORT DEARBORN STATION 540 NORTH DEARBORN ST. CHGO. IL 60610-9998

REPORTED BY: Self - NANCY MORROW JR TIME
FIRST TIME Cabinet 105A/105C-2007 Locks was never
PROPERTY AND/OR MONEY(S) INVOLVED: CRASH Drawer money/credit

PROPERTY: 1ST, 2ND, And 3RD, CLASS MAIL:

(MAIL, EQUIPMENT, BUILDING, CUSTOMERS, ETC.)

INDIVIDUAL(S) INVOLVED:

NAME: Felicia Hardy ADDRESS: 540 N Dearborn Chicago, IL
NAME: Chadwick Tullia ADDRESS: 540 N Dearborn Chicago, IL

ACTION TAKEN BY:
SUPERVISOR:

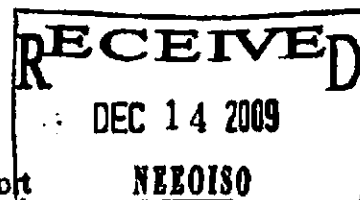
(OTHER PERTINENT DETAILS)

On March 27, 2008 I had to keys with
the safe and was for my key and another
used for storage keys when going to cabinet
and there was a lock on the drawer was
over a hundred dollars by four or five dollars
and then it comes up short possible tampering

SIGNATURE

Cc: Lead Executive, District Manager/ Postmaster
Manager, Post Office Operations
Manager, Customer Service

540 N. Dearborn
Chicago, IL 60610-9998
(312) 644-9682
(312) 644-7843 Fax



October 20, 2009:

Registered piece of mail was taken after securing it and locking it in my safe. I suspected they had keys made from the serial number outside of the envelope.

Since I filed a lawsuit against the postal service I have been victimized by them and have already reported four (4) claims to the Postal Inspector of fraudulent activity against me, however today I had to call the Inspector today, October 20, 2009 again to report that a registered piece of mail went missing while it was in my possession. Confused by this, I viewed part of the camera video and around 10:12 a.m. saw that I was preparing to go on my break and was last seen picking up my red letters and placing it in my papers along with the cash drawer going to the back to lock it up in my safe compartment. However, at the end of the day I was unable to find it.

October 20, 2009:

8105B forms for suspicious transactions reports were taken

I also noticed that my 810B forms for Suspicious Transactions report was missing. I had over 10 of them of customers who had bought in phony money orders and bad checks. Thankfully, I had already given copies to the Supervisor. I then tried to notify the Inspector's office and had to leave a recorded message and as always, they never returned my call. The next day when I got to work, I called the police and he said if I could get a supervisor to verify this, he would be able to assist me. I asked him if he could bring in a Swat Team.

December 3, 2009:

**Another unusual occurrence filed for tampering with keys and a request was put in for the safe combination to be changed.
Fort Dearborn station, 540 N. Dearborn, Chicago, Ill 60610.**

534

21X7:5 149FURT F: F8
CUSTOMER SERVICE OPERATIONS MANAGEMENT
POST OFFICE OPERATIONS
CUSTOMER SERVICE AND SALES
CHICAGO DISTRICT



Date: 10/20/09

REPORT OF UNUSUAL OCCURRENCE
FINANCE UNIT

NATURE OF THE OCCURRENCE: After looking it up
MISSING LETTER. (REGISTERED)

I suspect Mrs. Jolia of having a key made.
LOCATION: FORT DEARBORN STATION 540 NORTH DEARBORN ST. CHGO. IL 60610-8998
I don't put nothing pass anyone.

REPORTED BY: NANCY MORROW Self

PROPERTY AND/OR MONEY(S) INVOLVED: REGISTERED MAIL LET
NO VALUE FOR NAME

PROPERTY: 1ST, 2ND, And 3RD, CLASS MAIL: _____

(MAIL, EQUIPMENT, BUILDING, CUSTOMERS, ETC.)

INDIVIDUAL(S) INVOLVED:

NAME: Fort Dearborn

ADDRESS: 540 N. Dearborn

NAME: _____

ADDRESS: _____

ACTION TAKEN BY: I called the Supervisor

SUPERVISOR: MRS. CHATMAN

allowed to look at half
of the video tape.

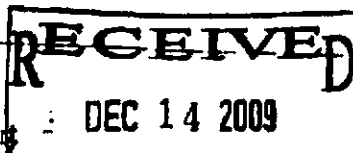
(OTHER PERTINENT DETAILS)

ground. 10:05 to 10:15 I had some
to do. Break and was repairing and the
tape showed I had pick up the mail and my
back towards back to look it up

Nancy Morrow
SIGNATURE

Cc: Lead Executive, District Manager/Postmaster
Manager, Post Office Operations
Manager, Customer Service

540 N. Dearborn
Chicago, IL 60610-8998
(312) 844-9992
(312) 844-7843 Fax



Registered No. **5507627312** Date Stamp **0101 24 10/20/05**

Reg. Fee	\$11.50	Return Receipt	\$2.30
Handling Charge	\$0.00	Restricted Delivery	\$3.00
Postage	\$0.93		
Received by			

Customer Must Declare Full Value \$0.00

☐ With Postal Insurance
☒ Without Postal Insurance

Domestic Insurance up to \$500 is included in the fee. International Insurance is extra. (See Back)

OFFICIAL USE

TO BE COMPLETED BY CUSTOMER (Please Print)

FROM **CONSULATE GENERAL OF THE REPUBLIC OF POLAND 1500 N LAKE SHORE AVE CHICAGO IL 60606-2712**

TO **CONSULATE GENERAL OF THE REPUBLIC OF POLAND 1500 N LAKE SHORE AVE CHICAGO IL 60606-2712**

PS Form 3806, Receipt for Registered Mail May 2004 (7530-02-000-8051) Copy 2 - Post Office

RECEIVED
DEC 14 2009
NEEOISO

552-78



Track/Confirm - Intranet Item Inquiry - International Outbound

Tracking Label: RA96 7694 768U S			
Service Calculation Acceptance Date/Time: 10/20/2009 09:40			
Destination	City Code:	City:	
	Country Code: AT	Country: AUSTRIA	
	AMF Code:	AMF:	
Origin	ZIP Code: 60610-9998	City: CHICAGO	State: IL
Dispatch #:	AMF Code:	AMF:	
	Date:	Time:	Bag#:
Class/Service: First-Class Mail International Registered			
Weight: 0 lb(s) 1 oz(s)		Postage: \$0.98	
Delv Rqmts: Normal Delivery		PO Box?: N	
Rate Indicator: Single Piece - Letters			
Special Services	Associated Labels	Amount	
Registered Mail - International	RA96 7694 768U S	\$11.50	
Return Receipt	RA96 7694 768U S	\$2.30	
Other International, Customs	LC24 5411 315U S	\$0.00	
REGISTERED			

Under no circumstances should dispatch information
be released to anyone outside the United States Postal Service.

Event	Date/Time	Location	Scanner ID
ACCEPT OR PICKUP	10/20/2009 09:40	CHICAGO, IL 60610	
Input Method: Scanned			
Finance Number: 161517			

Enter Request Type and Item Number:

Quick Search ☒ Extensive Search ☐

Explanation of Quick and Extensive Searches

56270

OFFICE OF EMERGENCY COMMUNICATIONS - oec602
Standard Location Search Report

270758

22-OCT-2009

Page 2

Entry Date	Event Number	Event Type	Dispositions	Loc of Srv	Addr of Occ	Unit List
20-MAY-2008 11:52:41	0814107137	DIST	BP	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST (FORT DEARBORN)	1831, 1884E
29-MAY-2008 12:55:08	0815087121	DECRIP	1110, 1122	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST (FORT DEARBORN)	1833, 1872
01-JUN-2008 13:29:59	0816311408	EMS	FILE	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST (FORT DEARBORN)	
11-JUN-2008 16:46:32	0816311388	SS		540 N DEARBORN	540 N DEARBORN	1806
11-JUN-2008 19:47:52	0819618867	DIST	SB	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST (FORT DEARBORN)	1854
23-JUL-2008 09:42:48	0820505590	EMS	FILE	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST -1 (FORT DEARBORN)	
13-AUG-2008 16:01:31	0823112938	NPS	FILE	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST -1 (FORT DEARBORN)	
13-AUG-2008 16:03:44	0823112986	NPS	FILE	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST -1 (FORT DEARBORN)	
09-AUG-2008 06:29:05	0824305341	NPS	FILE	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST (FORT DEARBORN)	
08-15:26:40	0824911557	THEFTI	1BP	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST -1 (FORT DEARBORN)	1831, 1832, 1833
08-15:45:34	0824811977	THEFTI		540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST -1 (FORT DEARBORN)	1833
15-SEP-2008 12:49:08	0825908098	SS		540 N DEARBORN	540 N DEARBORN	3781C
19-SEP-2008 18:17:37	0826316357	ASLTIP	SB	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST (FORT DEARBORN)	1831, 1833
19-SEP-2008 08:43:03	0826504605	EMS	1SB	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST (FORT DEARBORN)	1831
14-SEP-2008 17:16:38	0826814448	DIST	5P	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST (FORT DEARBORN)	1831
05-OCT-2008 10:43:03	0827907128	DIST	0460	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST -1 (FORT DEARBORN)	1831
09-OCT-2008 17:27:47	0829313581	ALRHU	14P	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST (FORT DEARBORN)	1822
19-OCT-2008 10:28:38	0829705526	EMS	FILE	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST -1 (FORT DEARBORN)	
19-OCT-2008 13:15:06	0829809121	ASLTJO	19P	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST -1 (FORT DEARBORN)	1833, 1834, 1861C
5-NOV-2008 03:24:12	0829902910	EMS	FILE	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST (FORT DEARBORN)	
3-NOV-2008 05:01:58	0830202080	FIRE	19X	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST (FORT DEARBORN)	1832, 1834
27-NOV-2008 10:14:25	0831205511	EMS	FILE	540 N DEARBORN ST (FORT DEARBORN)	540 N DEARBORN ST (FORT DEARBORN)	

5797-78

(8)
August 25, 2009:

An unauthorized change of address was put in without my consent around the end of June and the beginning of July

I filed a civil action lawsuit against the post office September 5, 2008 and I became aware after I was contacted by my an agent of a cancellation of my homeowner's insurance, credit card payments became delinquent, and late payments were accessed against me and all of my bank statements were "returned back to sender". I questioned the carrier about my mail and he said he had been off on vacation and he knew I lived there, but there was a change off address put in place and he asked me who at the post office has it in for you? I believe it is an act of retaliation against me because the change of address was put in at the Morgan Park Post Office, 111th Monterey, 60643, my mail was being forwarded to the Logan Square Post Office, 2338 N. California, 60657 and being returned from there to the sender as "attempted unknown".

58970



Date: 8-25-2009

REPORT OF UNUSUAL OCCURRENCE

FINANCE UNIT

Due to MB Filing A Civil Action Law suit against the
Postal Service Date set Sept 17, 2009 and AS A Act of
Retaliation against me they are forwarding my mail tampering
NATURE OF THE OCCURRENCE: to try to ruin change mb harassment

MORGAN PARK Post Office 111th Monterey Chicago IL 60610-9998
LOCATION: PORT DEARBORN STATION 540 NORTH DEARBORN ST. CHGO. IL 60610-9998

REPORTED BY: Mr. Express mail went to another post of 60617
and the customer requested a refund and he was told that I received
out a change address in to 60617 3339 N. California Ave Chicago IL 60607
PROPERTY AND/OR MONEY(S) INVOLVED: my Best Buy Chicago card
was returned to sender the Express Insurance card
me and said that my mail was return. My phone was turn off
PROPERTY: 1st, 2nd, And 3rd, CLASS MAIL:

(MAIL, EQUIPMENT, BUILDING, CUSTOMERS, ETC.)

INDIVIDUAL(S) INVOLVED:

NAME: MORGAN Park Post Office ADDRESS: 111th Monterey

NAME: ADDRESS:

ACTION TAKEN BY: I have call Inspector officers [Nothing done]
SUPERVISOR: she not there

CHANGE OF ADDRESS card has been put in
(OTHER PERTINENT DETAILS) by the postal service
my mail is being forwarded to the Logan Square
post office at 2339 N. California Ave Chicago IL 60607
and is being returned from there to the sender
as attempted in letter.

The Supervisor is the same person who returned
my document from the same court that was mailed
certified and she said wasn't there but who's signature

Cc: Lead Executive, District Manager/ Postmaster
Manager, Post Office Operations
Manager, Customer Service

clerk at that post office
gave it to me.

ADD: 33 CHANGING

Customer Copy
Label
Addressee

EXPRESS MAIL

UNITED STATES POSTAL SERVICE
COUNTRY POSTAL USE ONLY

ORIGIN POSTAL SERVICE USE ONLY

FROM: [Redacted]
TO: [Redacted]
CITY: [Redacted]
STATE: [Redacted]
ZIP: [Redacted]

POSTAGE: [Redacted]
INSURANCE: [Redacted]
SIGNATURE: [Redacted]

MS. Nancy Brown
1450 St. Laffin
Chicago IL 60643

FOR PICKUP OR DELIVERY: 1-800-375-3737

60643



Application for Refund of Fees, Products
Withdrawal of Customer Accounts

Part 1 - Application (Customer completes and submit to local Post Office™ for processing)

Customer/Company Name

M A P E L Y C O R P O R A T I O N

Attention

1

Mailing Address (Address to which the funds will be mailed)

11530 S W 14th Ave

Apt. or Suite No.

15

City

41499

State

FL

ZIP + 4®

60643

Telephone No. (Include area code)

773

Amount of Refund Request

\$ 17.50

Customer Account No. or Postage Meter No.

X James Rickman
Signature of Customer

09-26-2004
Date of Request (MM/DD/YYYY)

Privacy Act Statement

Your information will be used to process and respond to your transaction. Collection is authorized by 39 USC 401, 403, 404, 410, 2008 & 31 USC 7701. Providing the information is voluntary, but if not provided, we may not process your refund request. We do not disclose your information to third parties without your consent, except to facilitate the transactions, to act on your behalf or request. We may only disclose your information as follows: in relevant legal proceedings, to law enforcement when the USPS® or requesting agency becomes aware of a violation of law, to a congressional office on your behalf, to contractors and other entities aiding us to fulfill the service (service providers); to entities authorized to perform audits, to labor organizations as required by law; to federal, state, local or foreign government agencies regarding personnel matters, to the Equal Employment Opportunity Commission, and to the Merit Systems Protection Board or Office of Special Counsel. For information regarding our Privacy Policy visit www.usps.com

Request Disbursement For: (Select the appropriate box)

- ☐ Refund Postage and Fees (AIC 553)
☐ Post Office PVI Error - Issued Locally
(Attach spoiled/misprint label to this form)

- ☐ Refund for Postal Service™ Related Products (AIC 608)
(e.g., merchandise)
☐ Refund Miscellaneous Non-Postal Service Revenue (AIC 624)

Customer Copy
Label 11-F, April 2004



EM 343985314 US



UNITED STATES POSTAL SERVICE®

Post Office To Addressee 3)

ORIGIN (POSTAL SERVICE USE ONLY)		
PO ZIP Code	Day of Delivery	Postage
Date Accepted	Scheduled Date of Delivery	Postage and Fees
Time Accepted	Scheduled Time of Delivery	Postage and Fees
Flat Rate or Weight		

DELIVERY (POSTAL SERVICE USE ONLY)	
Delivery Point	Employee Sig.
Delivery Point	Employee Signature
Delivery Point	Employee Signature
Delivery Point	Employee Signature
NO DELIVERY <input type="checkbox"/> Withhold <input type="checkbox"/> Holdover	
Customer Signature	

CUSTOMER USE ONLY	
METHOD OF PAYMENT	
Express Mail Corporate Acct. No.	
FROM: (PLEASE PRINT)	

Federal Agency Acct. No. or Postal Service Acct. No.
TO: (PLEASE PRINT)

MORGAN PARK STA
CHICAGO, Illinois
606439998
1615420431-0095

09/26/2009 (773)238-2791 01:15:09 PM

Sales Receipt		
Product	Sale Unit	Final
Description	Qty Price	Price
Express Mail Refund		-\$17.50
(Cash)		
Cash		

Total: -\$17.50

Paid by:
Cash -\$17.50

Order stamps at USPS.com/shop or
call 1-800-Stamp24. Go to
USPS.com/clicknship to print
shipping labels with postage. For
other information call
1-800-ASK-USPS.

Bill#:1000500592521
Clerk:08

All sales final on stamps and postage
Refunds for guaranteed services only
Thank you for your business

PICK UP A FREE
RECYCLING ENVELOPE

Take an envelope to recycle your
inkjet cartridge, cell phone or
small electronics free of charge!

HELP US SERVE YOU BETTER

Go to: <http://gx.gallup.com/pos>

TELL US ABOUT YOUR RECENT
POSTAL EXPERIENCE

YOUR OPINION COUNTS

Customer Copy

6747



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

Instructions

Complete a separate PS Form 3546 for each last name unless the original order was processed as a hyphenated last name.

Item 1: Neatly enter an "X" in the applicable box. You may select multiple actions if required on the same form. If you provide conflicting information, this form will be returned unprocessed.

Item 2: You must apply either a PS Form 3982 label (which contains customer name and old address) or write in the customer name and old address information. Do not use CFS or PARS labels; if you do, this form will be returned unprocessed.

Items 3-8: Complete applicable fields that require corrections. You must initial this form or it will be returned unprocessed.

BUSINESS REPLY MAIL

FIRST-CLASS MAIL PERMIT NO. 78026 WASHINGTON DC

POSTAGE WILL BE PAID BY ADDRESSEE

MORGAN Park Station
TO: POSTMASTER
UNITED STATES POSTAL SERVICE

CHgo Il 60643

63470



Check action(s) required to correct COA

Change/Correction to mail forwarding change

Address Order

- Correct Name
- Change to Entire Family
- Change to Individual Only
- Cancel COA Order, Invalid Request
- Cancel COA Order, Resume Delivery
- Correct New Address *
- Correct Old Address *
- Change Temporary to Permanent
- Change Permanent to Temporary
- Change Temporary End Date

2 ☒ Individual ☐ Family ☐ Business

AFFIX 1982 LABEL ONLY or WRITE NAME

MORROW NANCY

11530 SO LAFLIN

CHGO IL 60643

Complete items 3 and 4 below as appropriate for name modifications only.

3 Last Name or Business Name

M M D D Y Y 4 First Name and MI

082609

* Required completion of OLD address or NEW address information when selected in ITEM ONE.

PRINT OLD mailing address below (Number and street name - Include ST, AVE, CT, etc. or PO BOX number)

5a. OLD Mailing Address 11530 SO LAFLIN.

5b. OLD Apt. or Suite No. #5 5c. For Puerto Rico Only: Print urbanization name, if appropriate

5d. OLD City Name NANCY MORROW 5e. State IL 5f. ZIP 60643

PRINT NEW mailing address below (Number and street name - Include ST, AVE, CT, etc. or PO BOX number)

6a. NEW Mailing Address 2339 N. CALIFORNIA

6b. NEW Apt., Suite No. or PMB 6c. For Puerto Rico Only: Print urbanization name, if appropriate.

6d. NEW City Name Logan Square Station 6e. State IL 6f. ZIP 60647

Employee Initials Date Route ID Number

MM 82609

PS Form 3546, May 2007 (7530-01-000-9953)

65970

9
July 1, 2009 - G Marie Lerner, 676 N. Michigan Ave, Chicago, Ill 60611, a black female, 5'3, with black hair came in with a \$500.00 money order issued to her as payment to be deposited in her account, which was a fake.

September, 2009 - Anna Barrientos, 300 N. State Street, Chicago, Ill 60610, 5'4, brn eyes, blk hair. Lady came in to cash a fake money order for \$810.63.

November 4, 2009 - Ebony Whitaker, 837 Peaksland, Ga. 30013, a black female, with long length dread locks, came in with a money order dated March 20, 2009, with light printed ink, but I could not find it in the data base. Supervisor informed her that we could not verify it so it could not be cashed.

October 5, 2008 - Lynette Georgevich, 230 N. Dearborn St., #1200, Chicago, Ill 60604. I filed a police report because Lynette Georgevich became angry and argumentative when I questioned her about her return address not being put on the military package, and she refused to put her return address on the package. I told her I could not accept her package unless it had a return address on it. So she put an address on it and I told her that I would need to see her identification for verification and she became angry and threw the box at me. I stepped back and called the police. She was contacted by the Detectives and sent a letter of apology to me.

6609-10

ADDITIONAL Money Order Serial Numbers:

	Begin Serial No.	Thru	End Serial No.	
Money Order Range 1:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	
Money Order Range 2:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	
Money Order Range 3:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	
Money Order Range 4:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	
Funds Transfer No.:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>			

ANNA BARRIENTOS

~~REDACTED~~
CHICAGO, ILL 60610

~~REDACTED~~
5'04" 100# BRN EYES BLK HAIR

~~REDACTED~~

68478

UNITED STATES
POSTAL SERVICE

Serial Number

16946977298

POSTAL MONEY ORDER

Pay to

ANNA BICERAKOS

2009-09-07 731081 \$810.53

Chicago, IL 60610

U.S. Dollars and Cents
EIGHT HUNDRED TEN DOLLARS & 53/100 *****

000000800 20

16946977298

United States Postal Service

Suspicious Transaction Report (STR)

I. Completed by Postal Service Employee

Without alerting customer(s), provide as much of the following information as possible. Complete this form only after the customer leaves. Provide only information obtainable from behind the counter. Employee safety is the most important priority.

Begin Serial No.

Thru

End Serial No.

Money Order Range 1:

Money Order Range 2:

Money Order Range 3:

Stored Value Card No.:

Funds Transfer
Transaction No.:

Transaction Amount: \$

Transaction Time:
(use Military Time)

Transaction Date:

Recorded by Camera?

Yes

No

Activity Type:

Purchased

Cashed

Other (Describe in Comment Section)

II. Identifying Information for Primary Customer (List information for additional customers in Comment Section)

Business/Customer Name:

First Name

EBONY WH: 49 KCRG

EBONY

Address (Number, Street, Box, Suite/Apt. No.)

State

ZIP Code+4®

Country

City
Langley

Type of Business

Date of Birth (MM/DD/YYYY)

Social Security No.

Driver's License No.

State

Other ID No.

Type of Other ID

debit/Credit Card No.

Vehicle License No.

ate

Description of Customer

Male

Female

Approximate Age

Comments: (Check all that apply)

1. Comes in frequently and always purchases less than \$3,000 worth.

2. Asked for lesser amount after being advised to complete PS Form 8105.

3. Two or more people working together.

4. Other: Describe the customer including the approximate height and weight.



LAHLY check FB make bag look long length
CASH FB WITH THREE money order
not I Dated BASK dated 03-20-09
303021 Issue. WIS card of cash \$60.00 dollar
Additional Comments on Reverse. That was it
USPS BSA COMPLIANCE
PO BOX 9003 not I, 47 printed like and was
simply called the bag

Attention

Mail this form
daily to:

USPS BSA COMPLIANCE
PO BOX 9003
SUNNYVALE, CA 94586

Completed by Postal Service Employee

Without alerting customer(s), provide as much of the following information as possible. Complete this form only after the customer leaves. Provide only information obtainable from behind the counter. Employee safety is the most important priority.

Begin Serial No.

Thru

End Serial No.

Money Order Range 1:

16890988423

Money Order Range 2:

16890988517 1500

Money Order Range 3:

16890988512

Stored Value Card No.:

Funds Transfer Transaction No.:

Transaction Amount: \$

Transaction Time: (use Military Time)

Transaction Date:

Recorded by Camera?

Yes

No

Activity Type:

Purchased

Cashed

Other (Describe in Comment Section)

II. Identifying Information for Primary Customer (List information for additional customers in Comment Section)

Business/Customer Name

First Name

Address (Number, Street, Box, Suite/Apt. No.)

City

State

ZIP Code+4®

Country

CHICAGO
Type of Business

IL 60640

Date of Birth (MM/DD/YYYY)

Social Security No.

Driver's License No.

State

Other ID No.

Type of Other ID

Debit/Credit Card No.

Vehicle License No.

State

Description of Customer

Male

☒ Female

Approximate Age

60

Comments: (Check all that apply)

1. Comes in frequently and always purchases less than \$3,000 worth.

3. Two or more people working together.

2. Asked for lesser amount after being advised to complete PS Form 8105-A.

4. Other: Describe the customer including the approximate height and weight.

LADY BLACK FEMALE 5FT 3 IN. BLACK HAIR, BROWN EYES.
PERSON CAME IN WITH \$500.00 MONEY
ORDERS THAT WAS FAKE. ISSUED TO HER
AS PAYMENT TO BE DEPOSITED IN HER ACCOUNT
AND THEREFORE WASTED
THEIR PAYMENT
60 E. ALLEN L. IN CHICAGO

Continue Additional Comments on Reverse

Attention

Mail this form daily to:

USPS BSA COMPLIANCE
PO BOX 9005 SITE C
SIOUX FALLS SD 57117-9

UNITED STATES POSTAL SERVICE®
POSTAL MONEY ORDER
 Serial Number
1689098851
 Pay to **Chicago, IL**
 Amount **\$500.00**
 Date **0022**
 Address **Chicago, IL 60601**
 Micro **0000008002**
 © 2000 United States Postal Service. All Rights Reserved.

UNITED STATES POSTAL SERVICE®
POSTAL MONEY ORDER
 Serial Number
1689098842
 Pay to **Chicago, IL**
 Amount **\$500.00**
 Date **0022**
 Address **Chicago, IL 60601**
 Micro **0000008002**
 © 2000 United States Postal Service. All Rights Reserved.

UNITED STATES POSTAL SERVICE®
POSTAL MONEY ORDER
 Serial Number
1689098851
 Pay to **Chicago, IL**
 Amount **\$500.00**
 Date **0022**
 Address **Chicago, IL 60601**
 Micro **0000008002**
 © 2000 United States Postal Service. All Rights Reserved.

72478

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

NANCY MORROW,

Plaintiff,

v.

PATRICK R. DONAHOE , Postmaster
General,

Defendant.

No. 11 C 4349

Judge Norgle

**ANSWER TO COMPLAINT
OF EMPLOYMENT DISCRIMINATION**

Defendant Patrick R. Donahoe , Postmaster General, by Patrick J. Fitzgerald, United States
Attorney for the Northern District of Illinois, for his answer to the complaint, states as follows:

First Defense

Plaintiff failed to timely exhaust administrative remedies.

Second Defense

Plaintiff is precluded from bringing all claims in her complaint except for the one related to
an April 2010 seven-day suspension as the others have been raised and ruled upon in prior cases.
See No. 08 C 5087, No. 09 C 7144, No. 10 C 2772, and No. 10 C 7211.

Third Defense

Any of plaintiff's claims occurring more than 45 days prior to contacting an EEO counselor
fail to comply with statute of limitations.

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Fourth Defense

Answering the specific allegations of the complaint, and using the same paragraph numbering, defendant Patrick R. Donahoe, Postmaster General, admits, denies, or otherwise avers as follows:¹

1. **Complaint:** This is an action for employment discrimination.

Response: Admit.

2. **Complaint:** The plaintiff is Nancy Morrow of the county of Cook in the State of Illinois.

Response: Admit.

3. **Complaint:** The defendant is Patrick R. Donahoe, Postmaster General, whose street address is 475 L'Enfant Plz. Southwest WA. DC 20260 (312) 664-7603.

Response: Admit.

4. **Complaint:** The plaintiff sought employment or was employed by the defendant at 540 N. Dearborn, Chicago, Cook County, Illinois 60643.

Response: Admit.

5. **Complaint:** The plaintiff was hired and is still employed by the defendant.

Response: Admit.

6. **Complaint:** The defendant discriminated against the plaintiff on or about, or beginning on or about, Recent 03, 31, 2010 — 21006 thru 2010 continuously.

Response: Deny.

¹ Defendant is responding to a pro se, handwritten form complaint and, although difficult to read, has tried to present the allegations of the complaint as accurately as possible.

7.2 **Complaint:** The defendant is a federal governmental agency, and

(a) the plaintiff previously filed a Complaint of Employment Discrimination with the defendant asserting the acts of discrimination indicated in this court complaint.

Yes, Various.

2. The plaintiff received a Final Agency Decision on 03, 31 2011.

c. Attached is a copy of the

a. Complaint of Employment Discrimination – NO, but a copy will be filed within 14 days.

(ii) Final Agency Decision – NO, but a copy will be filed within 14 days.

Response: Admit the defendant is a federal governmental agency, plaintiff previously filed a complaint of employment discrimination with defendant asserting the acts of discrimination indicated in this court complaint, plaintiff received a Final Agency Decision on March 31, 2011, and that copies of the Complaint of Employment Discrimination and Final Agency Decision were not attached to the complaint, and deny the remaining allegations.

8. **Complaint:** Not applicable

9. **Complaint:** The defendant discriminated against the plaintiff because of the plaintiff's (a) Age (Age Discrimination in Employment Act); (g) Sex (Title VII of the Civil Rights Act of 1964).

Response: Deny.

10. **Complaint:** Not applicable

13. **Complaint:** The facts supporting the plaintiff's claim of discrimination are as follows:

Written-ups. Failed to stop harassment – intentional pretext harassment by manager supervisor of a closely followed of incidents from inspector serv. and 911 call of customer targeted and throw a box at me. I was drafted to work and junior clerk under age of 40 and less seniority was not drafted and males gender who was volunteer was not drafted. Retaliation, interfering work, hostile env.

Response: Deny.

14. **Complaint:** [AGE DISCRIMINATION ONLY] Defendant knowingly, intentionally, and willfully discriminated against plaintiff.

Response: Deny.

15. **Complaint:** The plaintiff demands trial by jury — YES.

Response: Admit plaintiff demands jury trial and deny trial by jury is available in an ADEA action.

16. **Complaint:** THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff

(f) Direct the defendant to (specify): unlawful and personal deprivation at the hands of the postal serv and I am a person aggrieved. At the US employee credit union my zip code mail was changed to 60699. The Inspector office which almost led to repossession of my car. A change of address was put in and my mail was forward to Logan Square post office. Financial harddhip My keys was taken from management safe.

- (g) If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.
- (h) Grant such other relief as the Court may find appropriate.

Respectfully submitted,

PATRICK J. FITZGERALD
United States Attorney

By: s/ James M. Kuhn, Sr.
JAMES M. KUHN, SR.
Assistant United States Attorney
219 South Dearborn Street
Chicago, Illinois 60604
(312) 353-1877
james.kuhn @ usdoj.gov

CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorney hereby certifies that in accordance with FED. R. CIV. P. 5, LR5.5, and the General Order on Electronic Case Filing (ECF), the following documents:

ANSWER TO COMPLAINT OF EMPLOYMENT DISCRIMINATION

were served pursuant to the district court's ECF system as to ECF filers, if any, and were sent by first-class mail on September 12, 2011, to the following non-ECF filers:

Nancy Morrow
11530 South Laflin
Chicago Illinois 60643

s/ James M. Kuhn, Sr.
JAMES M. KUHN SR.
Assistant United States Attorney
219 South Dearborn Street
Chicago, Illinois 60604
(312) 353-1877

2011 SEP 14 09:58 AM

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